



CITY OF KINGSTON
PLANNING COMMITTEE
MEETING NO. 12-2010
AGENDA
Thursday, July 8th, 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**

This is a Public Hearing for an application for Zoning By-Law Amendment with respect to properties located at 631 Fortune Crescent and Gardiners Road.

The applicant is proposing to construct five buildings with a total gross floor area 11,939.48 sq. m. and 464 parking spaces in total. Primary access will be from Fortune Crescent. To accommodate the proposed development, the applicant is requesting an amendment to the Zoning By-Law to permit a day nursery, bank, service shop and a clinic on the property within 90m of the Gardiners Road frontage. Industrial uses on the property beyond 90m of the Gardiners Road frontage, and business park uses throughout the property.

File No. D14-185-2010

Four Corners Development Inc. – Applicant

**(See Report PC-10-056)
(Schedule Pages 1-26)**

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

The purpose of this public meeting is to provide general information regarding combined Public Hearing and Comprehensive Planning report for the property municipally known as 3260 Princess Street. The report describes the purpose and effect of the requested Zoning By-Law Amendment, includes an overview of the relevant policies and regulations that apply to the subject property and provides a recommendation to Planning Committee and Council. The subject property is owned by Kingston & District Shrine Holdings Association. There is an existing +/- 561 square metre building on the subject property, which is presently used as a meeting and dining hall for the Shriner's Club. A farmer's market operates once a week on the subject property and has been present since June 2009. The subject property is designated 'Residential' in the City of Kingston Official Plan.

A Consent application has been provisionally approved by the Committee of Adjustment. This Zoning By-Law Amendment application will satisfy one of the Conditions of Consent.

File No. D14-186-2010

Kingston & District Shrine Holding Association – Applicant

**(See Report PC-10-057)
(Schedule Pages 27-38)**

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

The purpose of this public meeting is to provide general information regarding an application for Zoning By-Law Amendment with respect to the property located on the west side of Clergy Street between Princess Street and Brock Street (110 Clergy Street). The subject property has an area of 178 square metres and currently contains a building with vacant commercial space on the ground floor and two dwelling units on the second floor. The applicant is requesting to amend the existing Central Business System – Heritage Commercial (C1-3) zone to permit the conversion of the ground floor commercial space to two, 2-bedroom apartments. Amendments to the zone provisions are also required in order to eliminate the requirement for parking, bicycle parking, and the amenity area space and increase the density requirement.

File No. D14-187-2010

Keystone Property Management Inc. - Applicant

**(See Report PC-10-058)
(Schedule Pages 39-46)**

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

The purpose of this public meeting is to provide general information regarding an application for Zoning By-law Amendment with respect to the properties located at 234 and 236 Albert Street. The subject lands are located on the northwest corner of Albert Street and Couper Street. The property at 234 Albert Street is currently 352 sq. metres in area with 9.1 metres of frontage and contains a single-family dwelling. Adjacent to this lot, 236 Albert Street is 441 sq. metres in area with 11 metres of frontage and also contains a single-family dwelling.

The applicant has submitted consent and lot addition applications to sever the rear portions of 234 and 236 Albert Street and adjoin them to create a new residential lot fronting on Couper Street for the purpose of constructing a single-family dwelling. The Zoning By-Law Amendment application is required to seek zoning relief to the minimum lot area requirement for the three properties, to seek zoning relief for minimum rear yard setback and lot coverage for 236 Albert Street, and to recognize the existing non-complying exterior side yard and aggregate side yard setbacks for 234 Albert Street and the existing non-complying front yard setback for 236 Albert Street.

File No. D14-176-2010

1003758 Ontario Street - Applicant

**(See Report PC-10-059)
(Schedule Pages 47-67)**

Regular Planning Committee Meeting No. 12-2010

1. MEETING TO ORDER
2. DISCLOSURE OF PECUNIARY INTEREST
3. CONFIRMATION OF AGENDA
4. CONFIRMATION OF MINUTES
Meeting No. 09-2010 held Thursday, May 20, 2010
5. DELEGATIONS / BRIEFING

6. BUSINESS

- a) Comprehensive Report
3260 Princess Street
Applicant – Kingston & District Shrine Holdings Association
Agent – Wayne Gay
File No. D14-186-2010

(Report No. PC-10-057)
(Schedule Pages 27-38)

Recommendation:

THAT, it be recommended to Council that the Application for Zoning By-Law Amendment (Our File No. D14-186-2010) submitted by Wayne Gay, on behalf of the Kingston and District Shrine Holdings Association, for the property municipally known as 3260 Princess Street, **BE APPROVED**.

THAT it be recommended to Council that the former City of Kingston Zoning By-Law No. 76-26, as amended, be further amended as follows:

1. By-Law No. 76-26 of The Corporation of the City of Kingston, entitled "A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Kingston", as amended, is hereby further amended as follows:
 - 1.1. Map 2 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'R1' and 'D' to 'D-4', as shown on Schedule "A" attached to and forming part of By-Law No. 2010-___.
 - 1.2. By **Adding** a new Section 29(3)(d) thereto as follows:
"(d) **D-4 (3260 Princess Street)**

Notwithstanding the provisions of Section 29 and Section 5 hereof to the contrary, for the lands Zoned 'D-4' on Schedule 'A' hereto, the following regulations shall apply:

- i. Lot Area (minimum): 1.5 hectares
 - ii. Lot Frontage (Minimum): 60 metres
 - iii. Front Yard Depth (Minimum): 45 metres
 - iv. Interior Side Yard (minimum): 5 metres
 - v. Rear Yard Depth (minimum): 90 metres
 - vi. That the minimum setback for all accessory buildings and structures shall be 7.5 metres from the lot lines for the properties municipally known as 3252 and 3244 Princess Street. The minimum setback for one accessory building and/or structure for all other lot lines shall be 2.5 metres. All additional accessory buildings and structures shall comply with the regulations for accessory buildings and structures in Section 5 of this Zoning By-Law and subsection vi of this Zone.
- 2.0 **That** the Amending By-Law be presented to City Council for all three Readings.

- b) **Comprehensive Report**
Application for Zoning By-Law Amendment
File No. D14-176-2010
1003758 Ontario Ltd.
234 and 236 Albert Street

(Report No. PC-10-059)
(Schedule Pages 47-67)

Recommendation:

THAT it be recommended to Council that the application for Zoning By-Law Amendment (Our File No. D14-176-2010) submitted by 1003758 Ontario Ltd., for the property located at 234 and 236 Albert Street, **BE APPROVED**.

AND BE IT FURTHER RESOLVED 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. That Zoning Map No. 30 of Zoning By-Law No. 8499, as amended, is hereby further amended by changing the zone **symbol of 234 Albert Street from 'A' to 'A.392', 236 Albert Street from 'A' to 'A.393' and 1 Couper street from 'A' to 'A.394'**, as shown on Schedule 'A' attached hereto and forming part of By-Law No. 2010-.
2. That the By-Law be amended by the addition of the following sections to Part VIII - EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS:

"392. Notwithstanding the provisions of Section 6 hereof to the contrary, on the property known municipally as 234 Albert Street and zoned 'A. 392' on Zoning Map No. 30 attached to and forming part of amending By-Law No. 2010- , the following provisions shall also apply:

234 Albert Street

- a) Minimum Lot Area: 249 square metres
- b) Minimum Exterior Side Yard Setback: 0.8 metres
- c) Minimum Aggregate Side Yard: 1.5 metres

"393. Notwithstanding the provisions of Section 6 hereof to the contrary, on the property known municipally as 236 Albert Street and zoned 'A.393' on Zoning Map No. 30 attached to and forming part of amending By-Law No. 2010- , the following provisions shall also apply:

236 Albert Street

- a) Minimum Lot Area: 310 square metres
- b) Minimum Front Yard Setback: 4.1 metres
- c) Minimum Rear Yard Setback: 7.1 metres
- d) Maximum Lot Coverage: 40%

"394. Notwithstanding the provisions of Section 6 hereof to the contrary, on the property known municipally as 1 Couper Street and zoned 'A.394' on Zoning Map No. 30 attached to and forming part of amending By-Law No. 2010- , the following provisions shall also apply:

1 Couper Street
a) Minimum Lot Area: 236 square metres."

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

- c) **Comprehensive Report**
Application for Zoning By-Law Amendment
J.A. Pye (Ontario) Ltd.
Lots 155 to 166 inclusive, Block 220 and part of Block 217, Registered Plan
13M-58 and Lots 63 to 111 inclusive, and block 134, Registered Plan 13M-69
File No. D14-108-2007

(Report No. PC-10-061)
(Schedule Pages 68-139)

Recommendation:

THAT it be recommended to Council that the application for Zoning By-Law Amendment (Our File No. D14-108-2007) submitted by J.A. Pye (Ontario) Ltd., for the property located at Lots 155 to 166 inclusive, Block 220 and part of Block 217, Registered Plan 13M-58 and Lots 63 to 111 inclusive, and Block 134, Registered Plan 13M-69, **BE APPROVED**.

- and further-

THAT the Cataraqui North Zoning By-law No. 97-102, as amended, be further amended as follows:

1. That the Zone Map of Zoning By-Law No. 97-102, as amended, is hereby further amended by changing the zone symbol of the subject site from 'MDR*1' to 'LDR*12' as shown on Schedule 'A' attached hereto and forming part of By-Law No. 2010-.
2. That the following be **added** as Section 7.12 of the By-Law:

"7.12. **Lots 155 to 166 inclusive, Block 220 and part of Block 217, Registered Plan 13M-58 and**
Lots 63 to 79 inclusive, and Block 134, Registered Plan 13M-69

Notwithstanding any provisions of this By-Law to the contrary, the lands designated 'LOR*12' shall be used and developed in accordance with the following provisions:

- (i) The minimum front yard depth for a single detached dwelling on a lot not accessed by a rear lane shall be 4.5 metres. The wall of an attached private garage shall be setback a minimum of 6.5 metres from the lot line that the driveway crosses to access the garage.
- (ii) The maximum garage width on a lot that is not accessed by a lane shall be no greater than 50% of the lot frontage.
- (iii) The minimum required rear yard on a lot not accessed by a lane shall be 14.5 metres."

- and further -

THAT the Cataraqui North Zoning By-law No. 97-102, as amended, be further amended as follows:

1. That the Zone Map of Zoning By-Law No. 97-102, as amended, is hereby further amended by changing the zone symbol of the subject site from 'LOR' to 'LDR*13' as shown on Schedule 'A' attached hereto and forming part of By-Law No. 2010-
2. That the following be added as Section 7.13 of the By-Law:

"7.13. **Lots 80 to 111 inclusive, Registered Plan 13M-69**

Notwithstanding any provisions of this By-Law to the contrary, the lands deSigned 'LOR*13' shall be used and developed in accordance with the following provisions:

- (i) The maximum garage width on a lot that is not accessed by a lane shall be no greater than 50% of the lot frontage."

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

- d) **Discussion regarding recommendation from the Kingston Environmental Advisory Forum with respect to KEAF representation on the Public Liaison Committee for the Third Crossing**

(See Page 140)

Recommendation:

THAT it be recommended to Council that KEAF be included in the Public Liaison Committee for the Third Crossing.

- e) **Baxter Farm Subdivision – Greenwood Park Limited**

(Report PC-10-063 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, July 22nd, 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 held on 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	Comprehensive Report to be held on July 8/10
iv	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.
v	ZBA	1684426 Ontario Inc.	2500 Princess St.	D14-079-2007	To change from Industrial Development to allow mixed	Public Meeting held Sept 18/08, in

					Commercial & Industrial	process
vi	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
vii	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
viii	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
ix	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 Scheduled as regular agenda item for August 05, 2010 Planning Committee Meeting
x	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.	Comprehensive Report July 8/10
xi	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
xii	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
xiii	ZBA	1126497 Ontario Inc.	346 University Ave.	D14-172-2009		Public Meeting held on Mar 4/10
xiv	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 & Comprehensive Report to be held on July 8/10
xv	ZBA	Unicum Management Corp.	780 Division St.	D14—177-2010	To build a 3 storey 46 unit apartments & 16 stacked townhouses	Public Meeting held on May 6/10.
xvi	ZBA	473796 Ontario Ltd.	4153,4157 Mangan Blvd., 5216 Dundon Dr.	D14-183-2010	To construct single-detached residential dwellings on each property	Public Meeting held on June 3/10

					and requires a zoning by-law amendment to change the zones to permit the residential use.	
xvii	OPA/ZBA/Draft Plan of Sub	1278804 Ontario Corp.	3480 Princess St.	D09-051-2010, D14-182-2010 & D12-055-2010		Public Meeting held on May 20/10
xviii	ZBA	Gerry Blacker	171 Union Street	D14-181-2010		Public Meeting held on June 3/10
xix	ZBA	Amev & Moniz	2312 & 2262 Cole Hill Rd.	D14-178-2010		Public Meeting held on June 17/10 Going to Council on July 20/10
xx	ZBA	Salvation Army	326 Alfred St.	D14-180-2010		Public Meeting held on May 20/10
xxi	ZBA	Peter Splinter Family Holdings	2435 Princess St.	D14-179-2010		Public Meeting held on June 3/10
xxii	OPA	City of Kingston	Princess St./Alexander St. - Site Specific Commercial Policies	D09—052-2010		Public Meeting held on June Public 17/10
xxiii	ZBA	1203139 Ontario Ltd.	110 Clergy Street	D14-187-2010		Public Meeting to be held on July 8/10
xix	ZBA	Kingston & District Shrine Holdings Association	3260 Princess Street	D14-186-2010		Public Meeting t& Comprehensive Report to be held on July 8/10
xxv	ZBA	Four Corners Development Inc.	631 Fortune Crescent	D14-185-2010		Public Meeting to be held on July 8/10

11. Applications Requested To Be Bumped Up To Planning Committee For Site Plan Control / or Final Subdivision 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 submitted but inactive
v	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	
vi	Barr Homes	1 Potter Street	D12-053-2009	Residential Subdivision	Lisa Osanic	Application Being Processed

vii	Frontenac Community Mental Health Services	35 Lyons Street	D11-282-2010	4½ storey building with 46 dwelling units	Lisa Osanic Steve Garrison	Application Being Processed
viii	Salvation Army	326 Alfred St.	D11-290-2010	Residential redevelopment with 18 dwelling units	Bill Glover	Application Being Processed

12. APPROVED SITE PLAN ITEMS:

D11-253-2009M – 100 Days Rd. (Centre 70) – Bell Mobility Inc.

13. APPLICATIONS APPEALED TO ONTARIO MUNICIPAL BOARD:

2010 City of Kingston Official Plan – 4 Appeals

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 2010	#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 2010	#33 on Priority Matrix