



CITY OF KINGSTON
PLANNING COMMITTEE
MEETING NO. 14-2010
AGENDA
Thursday, August 5th, 2010
6:30 p.m. Council Chambers, City Hall

Please provide regrets to James Thompson, Committee Clerk at 613-546-4291, Ext. 1268; jcthompson@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 public meeting is to provide general information and a recommendation for the Zoning By-Law Amendment application which has been submitted by Podium Developments with respect to the property located on the west side of Alfred Street, south of Princess Street. The subject property is 0.2 hectare in area and contains a former Salvation Army building. The applicant is proposing to demolish the existing building and construct a multiple family dwelling containing 18 units. Amendments to the Zoning By-law are required to permit the multiple family dwelling, to increase the lot occupancy and allowable projection in a yard for the porches and stairs and to reduce the front yard and side yard setbacks, amenity area, number of parking spaces and width of a parking space.

File No. D14-180-2010

**326 Alfred Street
Podium Developments – Applicant**

**(See Report PC-10-068)
(Schedule Pages 1-40)**

1. MEETING TO ORDER
2. CONFIRMATION OF AGENDA
3. DISCLOSURE OF PECUNIARY INTEREST
4. CONFIRMATION OF MINUTES
- a) THAT the minutes of the Planning Committee Meeting No. 11-2010 held on June 18th, 2010 be approved.
5. DELEGATIONS / BRIEFING
6. BUSINESS
- a) **COMPREHENSIVE REPORT**
Application for Zoning By-Law Amendment
Podium Developments
326 Alfred Street
File No. D14-180-2010

(Report No. PC-10-068)
(Schedule Pages 1-40)

Recommendation:

THAT it be recommended to Council that the application for Zoning By-Law Amendment (Our File No. D14-180-2010) submitted by Podium Developments, for the property located at 326 Alfred Street), **BE APPROVED**.

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

1. That Zoning Schedule "A", Map 19 of Zoning By-Law No. 8499, as amended, is hereby further amended by changing the zone symbol to 'B3.395' of the lands shown as "Subject Lands Rezoned from A to B3.395" on Schedule "A" attached hereto and forming part of amending By-Law No. 2010-__.
2. That the By-Law be amended by the addition of the following section to Part VIII – EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS:

"395. **326 Alfred Street**

Notwithstanding any provisions of Section 16 hereof to the contrary, on the lands zoned 'B3.395' on Schedule "A" attached hereto, the following provisions shall apply:

- a) PERMITTED USE: multiple family dwelling
- b) MINIMUM YARDS:
 - (i) north property line – 4.6 metres
 - (ii) from Alfred Street – 1.5 metres
 - (iii) south property line – 8.5 metres
 - (iv) from Frontenac Street – 53 metres
- c) MAXIMUM BUILDING HEIGHT: 10.5 metres
- d) MAXIMUM LOT OCCUPANCY: 110%
- e) MAXIMUM NUMBER OF RESIDENTIAL UNITS: 18
- f) MAXIMUM NUMBER OF BEDROOMS PER UNIT: 3

- g) MAXIMUM NUMBER OF BEDROOMS: 48
- h) MINIMUM NUMBER OF ON-SITE PARKING SPACES: 18 parking spaces
- i) MINIMUM SIZE OF A PARKING SPACE: 2.6 metres wide by 6.0 metres long
- j) MINIMUM AMENITY SPACE AREA: 775 square metres
- k) Notwithstanding any provisions of Section 5.8 hereof to the contrary, on the lands zoned 'B3.395' on Schedule "A" attached hereto, the following provisions shall apply:

PROJECTION INTO YARDS:

- (i) A covered or uncovered unenclosed porch, deck, balcony or veranda may project out from the main building wall providing it is no closer than 3.7 metres to the north lot line and 7.0 metres to the south lot line.
- (ii) Uncovered steps may project 1.4 metres out from a covered or uncovered unenclosed porch, deck, or veranda providing it is no closer than 5.7 metres to the south lot line.
- (iii) A step and covered or uncovered unenclosed porch may project out from the main building wall up to the front lot line.
- (iv) There shall be no minimum setback from the interior side lot line of a common party wall for a covered or uncovered unenclosed porch, deck, balcony, step or veranda.
- (v) Cornices, eaves, belt courses, sills, canopies, or other similar architectural features (not including bay windows or vertical projections) may extend or project into a required side yard not more than 0.6 metres and may extend or project into a required front or rear yard not more than 0.8 metres. Chimneys may also project into a required front, side, or rear yard not more than 0.3 metres."

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

- b) **COMPREHENSIVE REPORT
ZONING BY-LAW AMENDMENT
370 King Street West (J.K. Tett Building)
Applicant: The Corporation of the City of Kingston
File No. D14-159-2009**

(Report No. PC-10-066)
(Schedule Pages 41-77)

Recommendation:

THAT it be recommended to City Council that the Application for Zoning By-Law Amendment (Our File No. D14-159-2009) submitted by the City of Kingston for 370 King Street West be APPROVED.

AND THAT it be recommended to Council that 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. Map 29 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'P.98' to 'P1.387', as shown on Schedule "A" attached to and forming part of By-Law No. 2010-____.
2. By **Adding** a new subsection 387 to Part VIII (387) thereto as follows:

"(387) 'P1.387', 370 King Street West

Notwithstanding the provisions of Section 33 hereof to the contrary, for the lands designated 'P1.387' on Schedule 'A' to By-Law No. 2010 - __, the following regulations shall apply:

- a) That notwithstanding any provisions to the contrary the lands subject to the provisions of the 'P1.387' Zone shall be applied as though the lands are a single parcel for zoning purposes.
- b) **Maximum Height** – 33 metres
- c) **Minimum Front, Side and Rear Yards** – 0.0 metres
- d) **Off-Street Parking** –
 - i. Notwithstanding Section 5.3 to the contrary no off-street parking is required; and
 - ii. Notwithstanding any regulation to the contrary the subject property shall be deleted from Schedule K of Zoning By-Law No. 8499.
- e) **Off-Street Loading** – Notwithstanding Section 5.4 to the contrary one loading area measuring 3.0 metres wide and 7.5 metres long shall be provided within the P1.387 Zone.

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

- c) **COMPREHENSIVE REPORT**
Application for Final Plan of Condominium
Geertsma Homes Ltd.
Lots 48 to 54, 148 to 154, and 167 to 195, Blocks 223 to 225 and 227 to 232,
Registered Plan 13M-58
File No. D07-012-2010

(Report No. PC-10-067)
(Schedule Pages 78-91)

Recommendation:

THAT it be recommended to Council that the application for Final Approval of a Plan of Condominium submitted by Geertsma Homes Ltd. for three, 8.0 metre wide rear lanes on Blocks 223 to 225 and 227 to 232, Registered Plan 13M-58, **BE APPROVED**;

AND THAT Final Approval be granted to the Plan of Condominium submitted by Geertsma Homes Ltd., with respect to a common element condominium consisting of three, 8.0 metre wide rear lanes on Blocks 223 to 225 and 227 to 232, Registered Plan 13M-58, subject to the Owner entering into a Condominium Agreement with the City, which Agreement shall provide further notice to the Condominium Corporation and present and future purchasers of the conditions contained within the registered Subdivision Agreement and that the Condominium Corporation will be responsible for maintaining the approved subdivision works and fulfilling any conditions of the Agreement.

AND THAT following the execution of the Condominium Agreement, the Director of Legal Services be authorized to forward the necessary signed and stamped originals and required copies of the Final Plan of Condominium to the Land Registry Office for registration.

7. **OTHER BUSINESS**

8. **CORRESPONDENCE / DOCUMENTS**

- a) Correspondence received from Nova Tech Engineering Consultants Ltd., dated July, 2010 regarding the Performing Art Centre Parking and Pedestrian Routing Plan.

Schedule Pages 92-114

9. DATE OF NEXT MEETING

The next meeting of the Planning Committee is scheduled to be held on Thursday, August 19th, 2010.

10. 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 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	Last day for Appeals Aug 20/10
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 Commercial & Industrial	Public Meeting held Sept 18/08, in 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 held on 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 and requires a zoning by-law amendment to change the zones to permit the residential use.	Public Meeting held on June 3/10
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	Amey & Moniz	2312 & 2262 Cole Hill Rd.	D14-178-2010		Public Meeting held on June 17/10 Going to Council on July 20/10 Last day for Appeal Aug 20/10
xx	ZBA	Peter Splinter Family Holdings	2435 Princess St.	D14-179-2010		Public Meeting held on June 3/10
xxi	OPA	City of Kingston	Princess St./Alexander St. - Site Specific Commercial Policies	D09—052-2010		Comprehensive Report held on July 22/10
xxii	ZBA	1203139 Ontario Ltd.	110 Clergy Street	D14-187-2010		Public Meeting held on July 8/10
xxiii	ZBA	Kingston & District Shrine Holdings Association	3260 Princess Street	D14-186-2010		Public Meeting t& Comprehensive Report to be held on July 8/10
xxiv	ZBA	Four Corners Development Inc.	631 Fortune Crescent	D14-185-2010		Public Meeting held on July 8/10
xxv	OPA/ZBA	7116381 Canada Ltd.	630 Princess Street	D09-053-2010 D14-188-2010		

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

12. APPROVED SITE PLAN ITEMS:

D11-284-2010 – 399 Bath Road. – Subaru Kingston
 D11-286-2010 – 1119 Innovation Drive – Tim Horton's Inc.
 D11-291-2010-M – 640-644 Dalton Avenue (formally 652 Dalton Ave.) – Clermont Investments Inc.
 D11-281-2010 – 303 York Street – Leo Lafleur Outdoor Aquatic Facility Memorial Centre

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