



**City Of Kingston  
Planning Committee  
Meeting Number 02-2016  
Minutes  
Thursday January 7, 2016 at 6:30 p.m.  
Council Chamber, City Hall**

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**Committee Members Present**

Councillor Schell, Chair  
Councillor Neill, Vice Chair  
Councillor Allen  
Councillor M<sup>c</sup>Laren  
Councillor Osanic  
Councillor Turner

**Members Absent**

There were none.

**Staff Members Present**

Mr. Adams, Senior Planner  
Mr. Leary, Senior Planner  
Ms. Agnew, Director, Planning Building and Licensing Services  
Ms. Blumenberg, Committee Clerk  
Ms. Forfar, Manager, Development Approvals  
Ms. Hurdle, Commissioner, Community Services  
Ms. Kheir-Moghadam, Intermediate Planner  
Mr. Gkotsis, Intermediate Planner  
Ms. Lambert, Senior Planner  
Mr. Newman, Manager, Policy Planning  
Mr. Unsworth, Manager, Parks Development  
Ms. Venditti, Senior Manager, Client Relations & Development Services

### **Others Present**

Approximately 5 members of the public.

### **Introduction By Committee Chair**

Councillor Schell, Chair, explained the purpose of the meeting and read the rights and obligations afforded to the Committee members and members of the public in these public meetings.

**Public Meeting  
Held Pursuant to the Planning Act  
6:30 p.m.  
Application for Zoning By-Law Amendment**

The following is a combined public meeting and comprehensive report recommending approval to the Planning Committee regarding an application for a zoning by-law amendment submitted by FOTENN Consultants Inc. on behalf of John Gowsell with respect to the property located at 232 Brock Street.

The purpose of the zoning application is to permit the conversion of the existing mixed-use commercial/residential building, which contains one (1) commercial unit and two (2) residential units into a multiple residential structure containing three (3) residential units. The proposal also includes resident and visitor parking at the rear of the subject property as well as a consolidated amenity area at the rear of the subject property.

A public meeting with respect to this application is being held concurrently with the presentation of this comprehensive report and recommendation to the Planning Committee.

**Application for Zoning By-Law Amendment  
232 Brock Street**

Councillor Schell, Chair, called the public meeting regarding the application for a Zoning By-Law Amendment for 232 Brock Street to order at 6:38 p.m.

Mr. Keene spoke to the details of the application. FOTENN Consultants spoke to the details of the application and conducted a PowerPoint presentation. A copy of the presentation can be found by contacting the committee clerk.

Pursuant to the requirements of the *Planning Act*, a notice of the statutory Public Meeting was provided by advertisement in the form of a sign posted on the subject site 20 days in advance of the Public Meeting. A "Notice of Public Meeting" regarding these applications was also sent by pre-paid first class mail to all property owners within 120 metres of the subject property. There were approximately 44 property owners notified by mail. In addition, a courtesy notice was published in *The Kingston Whig-Standard*.

Mr. Gkotsis, Intermediate Planner informed the Committee that no pieces of correspondence regarding this application were received.

Councillor Allen asked for additional context regarding the neighbouring building who made a similar change previously. Mr. Keene replied that the same challenge occurred with the 230 Brock Street application, however the upper floors could be converted to residential without parking and amenities.

Councillor Schell opened the floor for members of the public to provide comments.

Mr. Dixon spoke is in favour of the application as there is a residential vacancy crisis coming to Kingston. He asked if the dimensions of the sketch of the various rooms are in inches. Mr. Keene responded that the sketches of the client are in inches.

The public meeting regarding the application for a Zoning By-Law Amendment for 232 Brock Street adjourned at 6:49 p.m.

## **Regular Planning Committee Meeting Number 02-2016**

### **Meeting to Order**

Councillor Schell called the meeting to order at 6:50 p.m.

### **Approval of the Agenda**

Moved by Councillor Turner  
Seconded by Councillor Allen

**That** the agenda be amended to include the addendum, and as amended, be approved.

**Carried**

### **Confirmation of Minutes**

Moved by Councillor Neill  
Seconded by Councillor Turner

**That** the minutes of the Planning Committee Meeting Number 01-2016 held on Thursday December 3, 2015 be approved.

**Carried**

### **Disclosure of Pecuniary Interest**

There were none.

### **Delegations**

There were none.

### **Briefings**

- a) Mr. Unsworth, Manager, Parks Development spoke to the committee on the Amendment to the City of Kingston By-Law Number 2013-107 'A By-Law to Provide for the Conveyance of Land for Park Purposes or Cash-in-Lieu of Parkland Conveyance' report.

Mr. Unsworth stated that the amendment integrates topics that are important in a by-law to provide for the Conveyance of Land for Park Purposes or Cash-in-Lieu of Parkland Conveyance such as secondary suites, heritage developments, public access easements and buffer land conveyance.

Councillor M<sup>c</sup>Laren sought clarification on the benefits of the by-law amendment. Mr. Unsworth replied that the proposal would be able to give developers a discount for an area

as big as the original building being exempted. He noted that it is a win for the City because it is an alternative funding mechanism to help reflect Kingston's desire to protect heritage structures.

In response to a question from Councillor M<sup>c</sup>Laren asking if there will be a reduction in cash in lieu, Mr. Unsworth responded that there could be a reduction, however it can be demonstrated that the rates respect the priority of preserving heritage and encouraging mixed use development.

Councillor M<sup>c</sup>Laren inquired if there is an opportunity where the City could be getting less parkland as a result of these amendments. Mr. Unsworth responded that under secondary suites and heritage, those two clarifications will only apply to minor cash in lieu reductions. He stated that there will be a minor drop in cash in lieu stream; however on the public access easement it is arguable. Mr. Unsworth advised that whether you get less land or achieve more private open space, the argument can be made that the provision applies to places where you cannot get parkland anyways. He noted that the balance between traditional land and waterfront land has to happen.

In response to Councillor Neill regarding public access easements being negotiated and included on the deed and carrying over to future landowners, Mr. Unsworth confirmed that is correct.

Mr. Unsworth explained that the presentation was aligned with the report to the Administrative Policies committee on the criteria with how someone could value waterfront lands. He noted that Exhibit C of the report displays that criteria table which includes 46 point options. Mr. Unsworth advised that staff have the flexibility to require the traditional parkland surveyance outside of the buffer lands to use as leverage in negotiations.

Ms. Hurdle, Commissioner, Community Services, explained that the parkland agreement is part of planning applications, and if an agreement cannot be reached the applicant can appeal to the OMB because the city has not made a decision. She advised that staff always try to get the best value for the public in any negotiations.

In response to a question from Councillor Neill about public involvement in the planning process, Ms. Hurdle replied that the public have several opportunities to provide input, such as the public meeting when the application is at the proposal stage, input via correspondence during the comprehensive stage, additionally the public can comment up until the application goes to Council.

Councillor Neill stated that the process on negotiated buffer lands would come after the public meeting so the public will not have that information and will not be able to provide comments at that time. Ms. Hurdle responded that there is not a process that allows public

involvement when parkland is negotiated as it involves staff and the proponents and once the comprehensive report is made available, the public can comment on the details.

Councillor Allen advised that the potential for waterfront buffer land acquisition to ensure there is a balance of traditional parkland is appealing. He asked how staff internally keep track of what is necessary for more public land in the form of a buffer rather than a park. Mr. Unsworth replied that achieving the balance entails examining internal inventories and understanding that there are a lot of hectares of open green land, which is not traditional parkland; however it is natural space which the public would like to protect.

Ms. Hurdle added that there may be situations where the City might want to select non-traditional parklands like waterfront park land, however it would not be traditional in terms of soccer fields and swing sets.

Ms. Hurdle stated that the intent is to provide a variety of incentives for developments with adapting the uses of heritage buildings. She advised that these are the kinds of projects the City will start seeing as intensification grows in the core.

In response to a comment from Councillor Turner regarding public input Ms. Agnew responded that staff is preparing the launch of DASH on January 18 where the public can access real time information about the status of a planning application and the evolution of a particular application in greater detail. She advised that DASH provides a platform to enhance the public's ability to be engaged and provide input.

## **Business**

### **a) Amendment to the City of Kingston By-Law Number 2013-107 'A By-Law to Provide for the Conveyance of Land for Park Purposes or Cash-in-Lieu of Parkland Conveyance'**

Moved by Councillor Allen  
Seconded by Councillor Turner

**That** it be recommended to Council that a by-law be presented to amend By-Law Number 2013-107 'A By-Law to Provide for the Conveyance of Land for Park Purposes or Cash-In-Lieu of Parkland Conveyance', as outlined in Exhibit A of Report Number PC-16-011.

**Carried**

### **b) Application for Zoning By-Law Amendment 232 Brock Street**

Moved by Councillor Turner  
Seconded by Councillor Neill

**That** the application for zoning by-law amendment (File Number D14-143-2015) submitted by FOTENN Consultants Inc., for the property located at 232 Brock Street, be approved; and

**That** the Council of the Corporation of the City of Kingston hereby enacts the amendments to By-Law Number 96-259, as amended, of the City of Kingston (Exhibit A – Draft By-Law and Schedule A to amend Zoning By-Law Number 96-259) to Report Number PC-16-006; and

**That** Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

**That** the amending by-law be presented to Council for all three readings.

**Carried**

**c) Application for Zoning By-Law Amendment 873 and 877 Division Street**

Moved by Councillor Allen  
Seconded by Councillor Turner

**That** the application for zoning by-law amendment (File Number D14-141-2015), submitted by IBI Group, for the property located at 873 and 877 Division Street, be approved; and

**That** the Council of the Corporation of the City of Kingston hereby enacts the amendments to By-Law Number 8499, as amended, of the City of Kingston (Exhibit A – Draft By-Law and Schedule A to amend Zoning By-Law Number 8499) to Report Number PC-16-002 ; and

**That** Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

**That** the amending by-law be presented to Council for all three readings.

**Carried**

**d) Application for Draft Plan of Subdivision, Official Plan and Zoning By-Law Amendment 2130 Isle of Man Lane parkland**

Councillor Allen commended staff for their work on the application. He sought clarification on how the open space and the buffer along the waterfront will work. Ms. Lambert, Senior Planner responded that within the locks the zoning has been crafted to require a minimum 30 metre setback from the water's edge. She noted that is a provision that has been written into the zoning.

Councillor Allen inquired what no cut buffer zone means. Ms. Lambert responded that it is incorporating language so the area remains in a naturalized state.

In response to a question from Councillor Allen regarding Lots 9 and 10, Ms. Lambert replied that staff have examined lots 9 and 10 and are confident that the information provided and the supporting infrastructure (septic system) can be put on those lots.

Councillor Allen stated that the application took a lot of staff creativity and time to make a not ideal situation into something that the City can work with, while protecting some of the natural heritage of the Rideau Canal.

In response to a question from Councillor Turner the public road, Ms. Lambert responded that there is a condition that requires a video inspection to verify the structural integrity of the road and that is an analysis that will show the condition of the road.

Moved by Councillor Turner  
Seconded by Councillor Osanic

**That** it be recommended to Council that the application for Official Plan amendment (File Number D09-063-2012), for the lands municipally known as 2130 Isle of Man Lane, be approved; and

**That** the City of Kingston Official Plan, as amended, be further amended, amendment number 46, as per Exhibit A (Draft By-Law and Schedule 'A' to amend the Official Plan) to Report Number PC-16-017; and

**That** the amending by-law be presented to City Council for all three readings; and

**That** it be recommended to Council that the application for zoning by-law amendment (File Number D14-232-2012), for the lands municipally known as 2130 Isle of Man Lane, be approved; and

**That** By-Law Number 32-74 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 Pittsburgh" as amended, be further amended as per Exhibit B (Draft By-Law and Schedules 'A' and 'B' to amend Zoning By-Law Number 32-74) to Report Number PC-16-017; and

**That** Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

**That** the amending by-law be presented to Council for all three readings; and

**That** it be recommended to Council that the application for draft plan of subdivision (File Number D12-066-2012), for the lands municipally known as 2130 Isle of Man Lane, be approved, subject to the draft conditions as per Exhibit C (Draft Conditions) to Report Number PC-16-017.

**Carried**

**e) Application for Zoning By-Law Amendment Cataraqui Woods Drive, Block B, Lyndenwood Subdivision – Phase 5 (Temporary address: 1071 Sydenham Road)**

Moved by Councillor Turner  
Seconded by Councillor Allen

**That** the application for zoning by-law amendment (File Number D14-107-2015) owned by CaraCo Development Corporation, for the property located at 1071 Sydenham Road, be approved; and

**That** the Council of The Corporation of the City of Kingston hereby enacts the amendments to By-Law Number 97-102, as amended, of the City of Kingston (Exhibit A - Draft By-Law and Schedule 'A' to amend Zoning By-Law Number 97-102) to Report Number PC-16-019; and

**That** Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

**That** the amending by-law be presented to Council for all three readings.

**Carried**

**f) Application for Zoning By-Law Amendment 54 Wiley Street**

Moved by Councillor Turner  
Seconded by Councillor Osanic

**That** it be recommended to Council that the application for zoning by-law amendment (File Number D14-142-2015) submitted by Selene Donegan for the property known as 54 Wiley Street, be approved; and

**That** By-Law Number 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, be further amended, as per Exhibit A (Draft By-Law and Schedule A to amend Zoning By-Law Number 8499) to Report Number PC-16-020; and

**That** Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

**That** the amending by-law be presented to Council for all three readings.

**Carried**

**Motions**

There were none.

**Notices of Motion**

There were none.

**Other Business**

There was none.

**Correspondence**

There was none.

**Date of Next Meeting**

The next meeting of the Planning Committee is scheduled for Thursday January 21, 2016 at 6:30 p.m.

**Adjournment**

Moved by Councillor Allen

Seconded by Councillor Turner

**That** the meeting of the Planning Committee adjourn at 7:39 p.m.

**Carried**