



**City Of Kingston
Planning Committee
Meeting Number 09-2016
Minutes
Thursday April 21, 2016 at 6:30 p.m.
Council Chamber, City Hall**

Committee Members Present

Councillor Schell, Chair
Councillor Neill, Vice Chair
Councillor Allen
Councillor M^cLaren
Councillor Osanic
Councillor Turner

Members Absent

There were none.

Staff Members Present

Ms. Agnew, Director, Planning Building and Licensing Services
Ms. Blumenberg, Committee Clerk
Ms. Eusebio, Intermediate Planner
Ms. MacCormick, Senior Planner
Mr. Newman, Manager, Policy Planning
Mr. Sands, Intermediate Planner

Others Present

Councillor Hutchison
Councillor Stroud, arrived at 7:16 pm

Approximately six 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 Public Meeting report to the Planning Committee regarding an application for a zoning by-law amendment for a property known municipally as 5059 Leo Lake Road. This report describes the purpose and effect of the requested application and includes an overview of the relevant policies and regulations that apply to the subject property.

The subject property is designated 'Rural' and 'Environmental Protection Area' in the Official Plan, and is zoned General Rural Zone 'A2' in Zoning By-Law Number 32-74.

The applicant is proposing to amend the zoning by-law to facilitate consent applications (File Numbers D10-215-2015 & D10-216-2015) to sever two waterfront properties from the original land holding. The proposed zoning by-law amendment is to implement the recommendations of the Environmental Impact Study and comments from the Cataraqui Region Conservation Authority (CRCA), specifically to increase the minimum Water Setback (Section 5(22) of Zoning By-Law Number 32-74) from 15 metres to 40 metres and establish the building envelopes on the severed parcels.

**Application for Zoning By-Law Amendment
5059 Leo Lake Road
File Number: D14-007-2016**

Councillor Schell, Chair, called the public meeting regarding the application for a Zoning By-Law Amendment for 5059 Leo Lake Road to order at 6:36 p.m.

Mr. Touw, IBI Group spoke to the details of the application and conducted a PowerPoint presentation. A copy of the presentation can be found by contacting the City Clerk's Department.

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 13 property owners notified by mail. In addition, a courtesy notice was published in *The Kingston Whig-Standard*.

Mr. Sands, Intermediate Planner informed the Committee that two pieces of correspondence regarding this application were received.

Councillor Neill asked if there were concerned residents in neighbouring properties. Mr. Sands replied that there was one telephone call inquiring about what the site specific zoning would be completing. He explained the increasing setbacks and the individual was satisfied.

Councillor Osanic asked if it was the Cataraqui Region Conservation Authority (CRCA) that asked that it be 40 metres. Mr. Sands responded that an environmental impact study recommended 40 metres and the CRCA concurred with that.

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

There was none.

The public meeting regarding the application for a Zoning By-Law Amendment for 5059 Leo Lake Road adjourned at 6:44 p.m.

Regular Planning Committee Meeting Number 09-2016

Meeting to Order

Councillor Schell called the meeting to order at 6:45 p.m.

Approval of the Agenda

Moved by Councillor Neill
Seconded by Councillor Turner

That the agenda be amended to reverse the order of the Briefing and Information reports and as amended be approved.

Carried

Confirmation of Minutes

Moved by Councillor Allen
Seconded by Councillor Turner

That the minutes of the Planning Committee Meeting Number 08-2016 held on Thursday April 7, 2016 be approved.

Carried

Disclosure of Pecuniary Interest

There were none.

Delegations

- a) Mr. T. Soper was present and spoke to the Planning Committee regarding density and bonusing.

Councillor Osanic thanked him for the architectural model of Kingston.

Business

Ms. Agnew, Director, Planning Building and Licensing Services introduced the upcoming reports and spoke that there is a lot of information that needs to be absorbed. She noted that a part of the ongoing effort is to bring topical issues by way of short presentations to the Planning committee to share in a dynamic and engaging manner.

- a) **Pending and Committed Residential Development Supply Update to December 2015**

Ms. Eusebio spoke to the Pending and Committed Residential Development Supply Update to December 2015 report. She conducted a PowerPoint presentation. A copy of the presentation can be found by contacting the City Clerk's department.

Councillor Neill asked if there is a count of the development in number of bedrooms. Ms. Eusebio replied that at this time, the purpose of the inventory is to track the number of units not bedrooms.

Councillor Neill explained that number of bedrooms is an important statistic to have as there is a difference between a 2 bedroom home and a 2 bedroom house in the university district.

Mr. Newman added that staff is examining a improved technique of tracking density change and measuring housing by bedroom to see the intensity of use to for parking by bedroom as opposed to parking by units.

Councillor Hutchison asked if there is an indication of what the market looks like for those who are seeking to rent something more affordable relative to their income. Ms. Eusebio replied that it is something being explored. She noted that the vacancy rates presented are general and more in-depth analysis needs to be completed of the rental market considering variables of affordability.

Councillor Hutchison commented that it is important information to determine the viability of condominiums as they do not serve the rental population.

In response to a question from Councillor Hutchison regarding the decline in low medium sized units Ms. Eusebio replied that the numbers over a 10 year period show that construction has been declining.

Councillor Turner stated that this report is more of an overview and not in-depth analysis. Ms. Eusebio concurred that the report aims to provide a background of supply. She explained that Utilities Kingston has an interest because it looks at servicing capacity.

Mr. Newman added that the report is completed twice a year to report the numbers and further analysis will be completed on the numbers and changing trends.

Councilor Turner expressed appreciation for the work completed and thanked staff.

Councillor M^cLaren asked about the 15 year supply of housing. Mr. Newman responded that there is an important distinction between the committed and pending supply of housing. He advised that the number seems high however 15 years of housing is not available for public consumption and getting from the 6 year committed supply to the 15 year is a delay in reaching the shovel ready stage.

Ms. Hurdle, Commissioner of Community Services added that the population projection figures do not include student population and there is a lot of work being completed through the workforce and migration study which will look at recruiting and retaining people to ensure there is a skilled labour force in Kingston going forward in the future.

Councillor Stroud asked about the student demographic for vacancy rates and stated that the student population matters and should be taken into account as an identifiable demographic for housing. Ms. Hurdle replied that the vacancy rate is important because many development applications for multiuse housing are being built close to the post-secondary schools. She advised that hopefully over time there will be a shift from multiple housing to purpose built multiple residential housing. Ms. Hurdle explained that throughout Canada, there is a decrease in high school students and both Queens and St. Lawrence College have increased their focus on international students.

Ms. Agnew added that relationship building in the community about the specific enrollment plan is necessary. She noted that there is an emphasis in expanding enrolment for international students and making Kingston attractive for people coming from other communities.

Councillor Neill stated that differentiating between the different types of units is necessary, especially between ownership and rental. He advised that those statistics are important to determine rental rates and number of affordable rental units.

Ms. Eusebio explained that the City is looking to obtain information on the ownership and rental market and partnering with CMHC for the data as well as the federal government through the census.

Councillor Schell stated that this is a preliminary report there will be more in-depth analysis in the future.

Briefings

- a) Mr. Newman, Manager, Policy Planning, provided a presentation regarding Planning Primer: Intensification & Height. He conducted a PowerPoint presentation. A copy of the presentation can be found by contacting the City Clerk's Department.

Councillor Neill expressed enthusiasm about the upcoming zoning comprehensive by law project.

Ms. Agnew stated that for the comprehensive zoning by-law project there are over forty thousand zones and performance standards that are measured differently which need to be analyzed. She noted that due to increased community engagement, the Official Plan (OP) has taken longer and the OP will implement the zoning by law that amalgamates the zoning in a way that has not been done before.

Councillor Neill stated that given the demographics in the current and proposed growth there is a concern that a threshold of potential development exists. He noted that if several high rise buildings are approved, they will over consume the requirement for housing and eventually create a development desert.

Mr. Newman advised that the supply today is consistent with the Province, and that how the supply is consumed is important. He noted that there are several factors that could change the demand for housing in the City.

Councillor Allen commended the presentation. He inquired about the urbanism progression. Mr. Newman responded that the urbanism progression shown in the presentation was presented by architects in the US during the urbanisms push. He added that an urban planning objective is less reliance on the automobile so people can live work play in the same vicinity.

Councillor Allen asked what the ideal factors are for mixed use. Mr. Newman replied that context is a big factor. He noted that the mix could be it could be commercial on the fringe or commercial on ground floor multistory buildings. Mr. Newman stated that the approach in Williamsville was to recreate a traditional main street; however the approach on the west end of Kingston could be a stand-alone commercial use in the corner and making more use of the low density built form.

Councillor Stroud asked about restricting height in the Official Plan. Mr. Newsman responded that the OP team has been going through every comment and taking the time to ask what the objective is and that the OP is not fixated on the numbers, but what the City is trying to achieve overall. Mr. Newman noted that rather than being prescriptive and stating height shall be 25 meters, the OP should say height shall generally be limited to 8-10 storeys so the expectation is defined but it is not in a stringent box.

Councillor Stroud spoke about the importance of limiting height to the human scale of neighborhoods.

Ms. Agnew stated that the focus is the OP policy is the intent piece and implementing the performance standards in the zoning by-law.

Councillor M^cLaren expressed concern about the “no numbers” on the Official Plan and if it is possible to be clear with intent without numbers. Mr. Newman responded that the OP will not remove numbers in its entirety, density target will remain but performance standards should be in zoning by-law.

In response to a question from Councillor M^cLaren regarding the principles of the zoning by-law, Mr. Newman responded that the comprehensive zoning bylaw will be based on best practices of all current zoning by-laws.

In response to a question from Councillor M^cLaren about what is considered proper planning rationale. Ms. Agnew replied that in relation to supporting a development application, staff have the planning rationale document which is separate that looks at the content. She advised that the OP is a higher level document.

In response to a question from Councillor McLaren regarding resilience and fiscal prudence being a factor of planning rationale. Ms. Agnew responded that it is a principle where there is a challenge with the resiliency piece is section 2 of the OP that sets the vision and that financial implementation becomes trickier because land use planning does not take financial considerations which can be confusing because the Provincial Policy Statement (PPS) refers to those things to a high level so it is not straightforward.

Councillor Osanic withdrew from the meeting at 8:13 p.m.

Mr. Newman spoke to the economic resiliency piece of the PPS and tied it to climate change.

Business

b) Community Benefits under Section 37 of the *Planning Act* City-initiated Official Plan Amendment and Guidelines

Ms. MacCormick spoke to the Community Benefits under Section 37 of the *Planning Act* City-initiated Official Plan Amendment and Guidelines report. She conducted a PowerPoint presentation. A copy of the presentation can be found by contacting the City Clerk's department.

Councillor Stroud withdrew from the meeting at 8:31 p.m.

Councillor Schell clarified that this is an information report and the public and committee members can send suggestions anytime.

Councillor Allen asked about a green roof plan and if that could fit under Section 37. Ms. MacCormick explained that applications will be reviewed on a case by case basis and having a cost estimate of the value of the benefit and how much value that adds to the community.

Councillor Allen stated that conversations with solar developers could use the same approach to a specific community benefit so there is consistency to that approach.

Councillor Neill thanked staff for presentation. He inquired if the previous instances of bonusing would fit the current criteria and process. Ms. MacCormick replied that the outcome of the pre amendment consultation process will be asking for enumerated benefits and if through the process people want to identify what are community benefits and staff will ensure that any added benefit is consistent with the OP. She explained that the current draft includes additional language that is subject to consultation with the community.

Councillor Hutchison asked if the community benefit will include knowing what the revenue stream or profit margin that will fall to the developer is. Ms. MacCormick responded that judging what equitable community development is can be a challenge and staff is working through the details. She explained that looking at that uplift value of what can be done as of right so it is working out the metrics of how those numbers can be figured out.

Ms. Agnew added that if developers would like to be considered for a community benefit, Council will be able to follow the logic through of what is being proposed and see where there is associated value and Council is comfortable making that decision.

In response to a question from Councillor Hutchison regarding if the guidelines will be included in the OP, Ms. MacCormick replied that these guidelines do not have the weight of policies so they can be referenced and used as a clarifying document to back up the policies.

Ms. Agnew added that there are enabling policies in OP that speak to density bonusing which complement the drafted guidelines. She advised that the key messaging will be in the Official Plan., however the details will be found on the guideline.

Councillor Hutchison commented that the City could have an upward battle when determining community benefit with proponents.

Councillor Neill applauded the objective 3rd party urban design study that gave the City information that could be applicable to this process. Ms. MacCormick answered that part of the evaluation could be a peer review of an appraisal community benefits to deem if it is an appropriate community benefit.

Councillor Schell commended staff for all their work in the educational sessions.

c) Application for Zoning By-Law Amendment 358 Victoria Street

Councillor Allen inquired if the fire safety concern has been addressed. Mr. Sands replied that all technical and emergency services staff have provided feedback and will be further reviewed at the building stage process.

Moved by Councillor M^cLaren
Seconded by Councillor Turner

That the application for a zoning by-law amendment (File Number D14-073-2015) submitted by Heather Cirella (HMD Drafting & Design), on behalf of Jeevan Rajaratnam and Karthika Sarvendran, for the property municipally known as 358 Victoria Street, be approved; and

That it be recommended to Council that the application for zoning by-law amendment (File Number D14-073-2015) for the lands municipally known as 358 Victoria Street, be approved; and

That By-Law Number 8499 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, be further amended, as per Exhibit A (Draft By-Law and Schedule A to amend Zoning By-Law Number 8499) to Report Number PC-16-036; 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 May 5, 2016 at 6:30 p.m.

Adjournment

Moved by Councillor Neill

Seconded by Councillor Turner

That the meeting of the Planning Committee adjourn at 9:09 p.m.

Carried