



**City Of Kingston  
Planning Committee  
Meeting Number 13-2016  
Minutes  
Thursday June 16, 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

**Committee Members Absent**

There were none.

**Staff Members Present**

Mr. Adams, Senior Planner  
Ms. Agnew, Director, Planning Building and Licensing Services  
Ms. Blumenberg, Committee Clerk  
Ms. Didrikson, Intermediate Planner  
Ms. Forfar, Manager, Development Approvals  
Ms. Hurdle, Commissioner of Community Services  
Ms. Lambert, Senior Planner  
Ms. Venditti, Senior Manager, Client Relations

**Others Present**

Councillor Holland  
Councillor Hutchison

Approximately 190 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 with respect to the subject site located at 92 Cataraqui Street. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

The subject property is designated 'Residential' in the Official Plan, and zoned One-Family Dwelling and Two-Family Dwelling 'A' Zone in Zoning By-Law Number 8499.

The applicant is proposing to amend the zoning by-law to facilitate the creation of a new lot fronting on James Street for a new single family dwelling. To accommodate the new lot the applicant is requesting amendments to the zoning by-law including a reduction in the minimum lot area, minimum front yard, minimum side yard, and aggregate side yard; increase in the maximum percentage of lot coverage; increase in the maximum height; reduction in the minimum rear yard; permit a projection into the front yard setback; and to reduce the setbacks for an accessory building.

**Application for Zoning By-Law Amendment  
92 Cataraqui Street**

Councillor Schell, Chair, called the public meeting regarding the Zoning By-Law Amendment for 92 Cataraqui Street to order at 6:38 p.m.

Mr. Roberts, owner spoke to the details of the report 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 signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to 83 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in the Kingston Whig-Standard.

Mr. Adams, Senior Planner informed the Committee that no items of correspondence regarding this application were received.

Councillor Neill asked if the severance makes it possible to consider non-conforming use or a new addition in the future. Mr. Adams replied that because of the severance it creates additional setbacks and if there was to be an additional non-conforming use the application would have to go through the Planning Committee process through the *Planning Act*.

Councillor Schell opened the floor to members of the public to provide comment.

Ms. Cornell expressed concern about parking. Mr. Roberts replied that there will be parking for 1.5 vehicles such as a smart car and SUV. He noted that he will encourage the future tenants to only have one car for a single family dwelling.

The public meeting regarding the application for a Zoning By-Law Amendment 92 Cataraqui Street adjourned at 6:52 p.m.

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

The following is a Public Meeting and comprehensive report recommending approval to the Planning Committee regarding an application for zoning by-law amendment submitted by Peter Radley, on behalf of Donald Wright King, with respect to the subject site located at 469, 471 and 473 Earl Street.

The requested amendment is consistent with the general intent of the Official Plan and the Provincial Policy Statement. Three site-specific amendments are proposed for 469, 471 and 473 Earl Street to address the performance standards of three existing single-detached dwellings. The properties at 469 and 471 Earl Street have merged on title with 473 Earl Street as a result of being under the ownership of a single land owner. The amendments are required prior to the approval of technical consent to sever applications to re-establish one previously existing lot (473 Earl Street), and to establish two lots for 471 and 469 Earl Street, for a total of three lots. There is no proposal to change the existing built form or land use of the one-and-a-half storey single-detached dwellings, which each contain separately serviced, single dwelling unit

**Application for Zoning By-Law Amendment**  
**469, 471 and 473 Earl Street**

Councillor Schell, Chair, called the public meeting regarding the Zoning By-Law Amendment 469, 471 and 473 to order at 6:54 p.m.

Mr. Radley, spoke to the details of the report 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 signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to 83 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in the Kingston Whig-Standard.

Ms. Didrikson, Intermediate Planner, informed the Committee that no items of correspondence, and 4 phone calls were received regarding this application were received.

No comments from committee.

Councillor Schell opened floor to members of public to provide comment.

In response to a question from Ms. Vega regarding accessibility requirements for the application Ms. Didrikson replied that the application was circulated to the Municipal Accessibility Advisory Committee (MAAC), however the current zoning by-law does not have accessibility requirements besides parking.

Ms. Venditti added that there are accessibility provisions in the Ontario Building Code.

The public meeting regarding the application for a Zoning By-Law Amendment 469, 471 and 473 Earl Street adjourned at 7:05 p.m.

**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 zoning by-law amendment with respect to the subject site located at 297 Gore Road submitted by the City's Real Estate & Land Development Department. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

The property is located on the southwest corner of Gore Road and Rose Abbey Drive.

The property is designated 'Low Density Residential' in the Rideau Community Secondary Plan and is zoned within the 'A1' Restricted Rural Zone in Zoning By-Law Number 32-74.

The applicant is proposing site-specific zoning to permit three separate and distinct land uses: 0.9 acres (0.36 hectares) of public park space adjacent to Buckingham Park, a public road allowance widening on Gore Road, and residential development (up to four

townhouse dwellings) on a 0.25 acre (0.1 hectare) parcel fronting onto Rose Abbey Drive. The residential development parcel is the location of a former water standpipe which was recently removed in 2015. As described in Report Number 15-354 to Council on August 11, 2015, the residential parcel is intended to be sold by the City for future development.

**Application for Zoning By-Law Amendment  
297 Gore Road**

Councillor Schell, Chair, called the public meeting regarding the Zoning By-Law Amendment 297 Gore Road to order at 7:06 p.m.

Ms. Garrah, FoTenn Consultants spoke to the details of the report 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 signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to 148 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in the Kingston Whig-Standard.

Ms. Didrikson informed the Committee that no pieces of correspondence regarding this application were received.

In response to a question from Councillor Allen regarding green space, Ms. Garrah replied that the intent is to retain as much green space as possible and that it is a compatible and modest infill development. She explained that it is the City's desire to achieve more of a balanced infill development and add to Buckingham Park.

Ms. Hurdle advised that as part of the public consultation increased green space was important for the residents in the area.

Councillor Schell opened the floor to members of public to provide comment.

Mr. Gventer asked if part of the application will include affordable housing.

Ms. Vega asked if the main level/ground floor entrances could be made accessible.

Ms. Garrah explained that the application will be subject to site plan control and as such accessibility requirements will be reviewed by MAAC.

Ms. Hurdle added that the designation of the property as 'land use residential' does not mean it will become affordable housing. She stated that staff will examine the options for affordable housing; however the final use has not been determined.

The public meeting regarding the application for a Zoning By-Law Amendment 297  
Gore Road adjourned at 7:19 p.m.

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

The following is a Public Meeting report to the Planning Committee regarding applications for zoning by-law amendment and Community Improvement Plan Amendment with respect to the subject site located at 223 Princess Street. This report describes the proposed applications and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

A previous statutory Public Meeting was held for the subject applications on July 2, 2015. In response to a peer review report and technical comments on the submitted Urban Design Study and Heritage Impact Statement, the applicant has revised the details of the proposal, including the addition of some abutting lands that are intended to be consolidated into the overall site. The purpose of this Public Meeting is to provide an opportunity for the public to receive details and to provide comments regarding the proposed revisions to the development.

The revised submission proposal consists of a request to rezone the subject site for the construction of a 17-storey mixed use building with 213 residential units and 750 square meters of commercial floor area. The submission includes an additional interior parcel of approximately 141 square metres, which is proposed to be consolidated with the overall site. The site known as 223 Princess Street is the location of the former Capitol Theatre and later Empire Theatre.

**Application for Zoning By-Law Amendment & Community Improvement Plan**  
**Amendment**  
**223 Princess Street**

Councillor Schell called the public meeting regarding the Zoning By-Law Amendment & Community Improvement Plan Amendment 223 Princess Street to order at 7:21 p.m.

Mr. Keene, FoTenn Consultants, spoke to the details of the report 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 signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to 87 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in the Kingston Whig-Standard.

Ms. Lambert, Senior Planner informed the Committee that several pieces of correspondence regarding this application were received and were included on the addendum.

The Committee opted to allow members of the public an opportunity to provide comments, prior to their questions.

Councillor Schell opened the floor to members of public to provide comment.

Mr. Fortier spoke about his personal history of owning and protecting heritage properties downtown. He highlighted the positive adjustments the developer has made to compliment the area and make it more appealing to the community. Mr. Fortier spoke about the vacant lots in downtown Kingston and encouraged Council to look at this development as an opportunity to revitalize downtown Kingston and attract more business.

Mr. Anderson asked about the scalability of the project and it altering the skyline. He urged the Committee to adhere to City by-laws and the Official Plan (OP) height restrictions to preserve the human scale and heritage characteristics of downtown Kingston.

Councillor Hutchison arrived at 7:45 p.m.

Ms. Figge spoke in favour of intensification as it helps property values. She expressed appreciation for the art deco façade on Princess and the interesting façade on Queen Street. Ms. Figge expressed concern regarding height and sacrificing the beautiful heritage church and the character and charm of downtown history with a tall tower.

Mr. Smith, representing Downtown Kingston BIA, endorsed the project and was pleased the developer made modifications for the façade to look and feel like the characteristics of the neighbourhood. He stated that the development allows for greater economic benefits and it is a project that conserves heritage with several community benefits.

Ms. Burfoot conducted a PowerPoint presentation. A copy can be found by contacting the Committee Clerk. She spoke about the development being out of place in Kingston. She spoke about the cultural impact assessment study conducted by a peer review that noted the development is out of scale and too tall. Ms. Burfoot explained that the development has limited business revitalization capabilities and could end up as an 'Airbnb' for 4 months.

Ms. Knot spoke in favour of the application. She is a co-chair for the Future Kingston community group and noted that the development is a smart mix of mid-rise intensification.

Mr. Seitz spoke to his personal history of living in the area, and that visitors always compliment Kingston for its unique lack of high rise developments.

Ms. MacDonald presented a petition from residents who are opposed to the development. She asked that the OP and Zoning By-Law be adhered to because the building restrictions are in place for a reason. Ms. MacDonald stated that the City restricts building height to preserve the historical characteristics of the area. She stated that she is in favour of intensification that can be achieved through low rise infill projects.

Ms. Claus Johnson spoke about the application process and, that due to the community concerns surrounding the proposed development, a further revision of the application could come forward with a wider scope of input from residents. She proposed that some of the units in the building be rent geared to income as it is a successful program in Kingston and urged the Committee to take care of everyone in the community.

Mr. Ward spoke in favour of the development and suggested that the silent majority is supportive of this application. He noted that the supply of affordable housing will increase through this development via trickle down economic principles.

Ms. Budd stated that many of her classmates who come to Kingston from other areas love the charm of Kingston as a welcoming community. She advised that if a building is built so tall that it could affect the skyline, Kingston could lose its charm, and therefore lose tourism as people visit Kingston for its history. Ms. Budd noted that it could create a domino effect and Kingston could become Toronto with huge buildings and pollution.

Mr. Soper spoke about his 3D model of downtown Kingston. He encouraged gentle intensification in alternate underdeveloped locations such as vacant parking lots in downtown Kingston. Mr. Soper spoke about limiting height to 8 storeys and that intensification needs to combine history and innovation.

Ms. Pagratis spoke about her personal history of choosing to live in Kingston due to its uniqueness. She spoke about the OP goal of maintaining the heritage characteristics of downtown as part of cultural vitality. Ms. Pagratis stated that a maximum height of 25.5 metres is sensible and the OP needs to remain prescriptive on height and not left open to speculation. She urged Planning staff to apply height restrictions and density compliance, specifically because the independent peer reviewed report on this development stated the height was excessive and out of scale with Kingston.

Ms. Sypnowich, Chair of the Coalition of Kingston Communities, stated that decisions of well-being should be made on analysis of data about the benefits of the project. Ms. Sypnowich asked what policies and planning documents prove that the height is appropriate, since the peer review found the application to be too tall and incompatible with the heritage characteristics of Kingston. She spoke about the application setting a precedent that could fundamentally change the image of the downtown and harbour area. Ms. Sypnowich spoke about the OP highlighting a community vision that many people support including height restrictions which the application violates.

Ms. Beach stated that the human scale is not visible beyond 4 storeys. She spoke about her personal history of choosing to live in the area due to the culture and historic charm of Kingston and asked that the developers respect the historic dimensions.

Mr. Grenda spoke on behalf of the Frontenac Heritage Foundation. He discussed the peer reviewed urban design report that found the planning rationale for height to be excessive. He spoke about the changes to the proposal since the original public meeting in 2015. Mr. Grenda advised that the proposed development lies in two potential heritage districts, and expressed concern for the height, and the design being an uninviting addition to the streetscape.

Ms. Adams stated that the construction of the tower in the middle of the downtown core diminishes the characteristics of heritage in Kingston. He noted that intensification is good, as it can prevent sprawl and facilitate active transportation and it can be achieved by maintaining the human scale that is emphasized in the OP. Mr. Adams encouraged gentle density mirroring places like Greenwich Village in New York City, and Paris, dense enough to build a sense of community but not so dense that people cannot take the stairs and it should be built so it can increase the diversity of the area.

Mr. Lodge concurred with Ms. Synowich and noted that if approved, the development will make the area less appealing. He spoke about the benefits of limiting building height and that the OP and zoning by-law were prepared with significant staff time at the tax payers' expense and should be adhered to.

Ms. King conducted a PowerPoint presentation. A copy of the presentation can be found by contacting the Committee Clerk. She advised that adding more people to a small space might not increase social connectedness. Ms. King discussed alternative options to intensify Kingston without building up. She asked that mixed use, human scale, and affordable housing be considered rather than massive towers.

Mr. Pyke spoke in favour of the application and about his excitement in living, playing and working downtown. He spoke to his choice of buying a condominium in the proposed development and that the space is not too small and will provide many amenities to future residents. He asked that the Committee weigh all the evidence and presentations before making a decision.

Ms. Pegley spoke about the need for low rise buildings that increase density on a human scale. She encouraged smart architecture, and spoke about the wind tunnel and shade the proposed application could cause.

Mr. Naussaur stated that he is a newcomer to Kingston from Jerusalem. He spoke about the economic aspect of the project and the myth that it will attract young people. He advised that linking economic development with high rises is false.

Ms. Vader expressed concern about the application not taking into consideration mobility and accessibility issues. She stated that she came to see if there was an indication or hope that this would be an accessible space.

Ms. Obadia lives opposite of the proposed application and expressed concern for safety during construction and urged the Committee to include more community and cultural developments.

Mr. Smith spoke in favour of the proposal and explained that the K-Rock Centre proposal had little community support and it is not an entertainment centre that is iconic to cultural vitality in the City.

Mr. Dixon stated that he cautiously supports the project at 13-14 storeys.

Ms. Schmolka presented a PowerPoint presentation. A copy can be found by contacting the Committee Clerk. She stated that she reviewed the OP and asked why the application did not need an OP amendment because the height is out of character with the intent of the OP.

Mr. Gventer spoke about the importance of including an affordable housing component in the proposal.

A member of the public stated that none of the changes to the application will instill economic viability to the downtown core. She asked that intensification be achieved in creative gentle manners that align with the OP. She asked that accessible units be included in the building.

The Committee took a 10 minute recess at 9:33 p.m. The Planning Committee ended the recess at 9:43 p.m.

Mr. Swift spoke in opposition to the application. He concurred that an economic development link with downtown high rises is non-existent. He spoke in favour of the public meeting process as a treasured part of democracy in action.

Ms. Farrar suggested that there are a lot of young trades people who need the City's help in creating incentives to help youth buy properties and preserve heritage.

Mr. Jackson stated that an affordable housing component is critical because the demographics in that area are a mixed income area of downtown. He stated the project could be an opportunity to reach out to the affordable housing community.

Mr. Keene thanked members of the public for their comments. He stated that the developer appreciates all the comments and understands change can be polarizing. Mr. Keene explained that the OP is a guiding document while the zoning by-law is prescriptive regarding height and that is why the application is seeking a zoning by-law amendment. He advised that a traffic study was completed that outlines parking and site lines to ensure it is a safe building from a traffic perspective. Mr. Keene stated that accessibility has been taken into consideration through the Building Code and there will be accessible units in the development. He noted that the proposed building will have various scales of affordability with different price points, and that he would be happy to answer any further questions through correspondence.

Councillor Neill asked about the vacant lots both in downtown and Williamsville and noted that the projected population growth in Kingston is modest. He expressed concern that due to the population projections the market could not be able to sustain these developments. Councillor Neill inquired why the peer reviewed urban planning recommendations surrounding height were not incorporated into this application. Mr. Keene responded that the peer review has been responded to and there have been changes incorporated to the application.

Councillor Neill stated that the angular plane is important for maintaining the human scale and that appeared to be excluded. Mr. Keene replied that the angular plain is treated as more of a principal and a shadow study was conducted to ensure the intent of an angular plane is met.

Councillor Allen asked why it was possible to sell units on something that hasn't been approved. Mr. Keene replied that in the business world, a business can sell the idea and people are buying into the idea of living downtown.

In response to a question from Councillor M<sup>c</sup>Laren regarding height and the OP's intent on protecting heritage, Mr. Keene replied that the application is preserving heritage by protecting the theatre and continuing heritage attributes in integrating a combination of treatments on the building, ensuring glazing and other modern architectural features are combined with the protective features.

Councillor M<sup>c</sup>Laren asked how Kingston can keep its heritage pure. Mr. Keene responded that in his professional opinion the application does not detract from Kingston's heritage.

In response to a question from Councillor M<sup>c</sup>Laren regarding enhancing cultural resources, Mr. Keene replied that the application enhances cultural resources because the theatre has been sitting vacant for several years and beginning to deteriorate. He explained that this application will restore the heritage theatre and that the heritage impact study concluded that the application will enhance the heritage characteristics of downtown Kingston.

Councillor M<sup>c</sup>Laren asked why an OP amendment was not needed. Mr. Keene replied that intensification is key and the downtown has a detailed set of policies about it being diverse and focused on intensity of uses and staff decided an OP amendment was not necessary.

In response to a question from Councillor Turner regarding how many people have bought into the 'buy before built' concept, Mr. Keene replied that approximately 70% of the units are committed to buyers. He explained that this exemplifies public support and interest in the development downtown.

Councillor Turner asked about the environmental benefits of intensification. Mr. Keene replied that many cities intensify and concentrate uses on lands and when compounded with high rise developments that are not providing a 1 to 1 ratio for cars it aids to

eliminate pollution and promote active transportation. Mr. Keene advised that the development will be remediating a brownfield site and that there will be a natural green area on the roof.

The public meeting regarding the application for a Zoning By-Law Amendment & Community Improvement Plan Amendment 223 Princess Street adjourned at 10:22 p.m.

**Public Meeting  
Held Pursuant to the Planning Act  
6:30 p.m.  
Application for Official Plan & Zoning By-Law Amendment and Draft Plan of  
Subdivision**

The following is a Public Meeting report to the Planning Committee regarding an application for Official Plan, zoning by-law amendment and Draft Plan of Subdivision with respect to the subject site located at 700 Gardiners Road. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

The property is located in a 'Business District' and designated 'General Industrial' in the City of Kingston Official Plan and is zoned site specific Light Industrial Zone 'M2-31' in Zoning By-Law Number 76-26.

The applicant is proposing to develop a subdivision with a mix of uses including high, medium and low density residential uses (total 1,018 residential units); commercial uses; a school and two public parks. To accommodate the proposal the applicant is proposing to amend the Official Plan to locate the property within a 'Housing District' and to change the designations to 'Residential'; 'District Commercial'; 'Open Space'; and 'Institutional'; and to change the zoning to permit high density residential; medium density residential; low density residential; general shopping centre uses; institutional uses; and open space uses.

**Application for Official Plan & Zoning By-Law Amendment and Draft Plan of  
Subdivision and Proposed Amendment to the Brownfields Community  
Improvement Plan  
700 Gardiners Road**

Councillor Schell, Chair, called the public meeting regarding the Official Plan & Zoning By-Law Amendment and Draft Plan of Subdivision 700 Gardiners Road to order at 10:24 p.m.

Ms. Watson, FoTenn Consultants, spoke to the details of the report and conducted a PowerPoint presentation. A copy of the presentation can be found by contacting the Committee Clerk. She showed a video of the proposal.

Moved by Councillor Neill  
Seconded by Councillor M<sup>c</sup>Laren

**That** the Planning Committee waive the rules of By-Law Number 2010-1, "Council Procedural By-Law", in order to extend the meeting past 11:00 pm to complete the agenda.

**Carried**

Pursuant to the requirements of the Planning Act, a notice of the statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to 115 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in the Kingston Whig-Standard.

Mr. Adams informed the Committee that no pieces of correspondence regarding this application were received.

Councillor Neill asked about the commercial land review concluding that there was a surplus of employment lands. Ms. Watson advised that a market study was completed which provides a recommendation on the amount of market space that can be supported, such as a grocery store by this application. She informed the Committee that the study is being peer reviewed on behalf of the City using the commercial land study.

Councillor Schell opened the floor to members of public to provide comment.

Mr. Dixon spoke in favour of the proposal and suggested it be called the Sesquicentennial Centre to commemorate Kingston's history and anniversary.

Mr. Anderson stated he attended the meeting in July and residents in the adjacent area were concerned about traffic flow, and that the new revised plan needs to address traffic.

Ms. Schmolka raised the issue of the housing study and 15 year supply of housing. She urged the Committee that the City needs to plan wisely and questioned if this project will be sustainable due to modest population growth. Ms. Schmolka inquired about the brownfield process.

Ms. Watson replied that the application will be completed in phases and developed over time. She explained that the area is well served by public transit and is an ideal location for a new subdivision with affordability targets and various price points for seniors and young families.

Ms. Watson explained that there has been a traffic study completed and the new roads will be designed in accordance with City approved guidelines and sidewalks will be built to encourage connectivity. She advised that the development promotes sustainability as it will be remediating a contaminated area.

The public meeting regarding the application for Official Plan & Zoning By-Law Amendment and Draft Plan of Subdivision 700 Gardiners Road adjourned at 10:56 p.m.

**Public Meeting  
6:30 p.m.  
Application for Proposed Amendment to the Brownfields Community  
Improvement Plan**

The following is a combined Public Meeting and comprehensive report recommending approval to the Planning Committee regarding an application for an amendment to the Brownfields Community Improvement Plan submitted by FoTenn Consultants Inc., on behalf of Taggart (Gardiners) Corporation, with respect to the subject site located at 700 Gardiners Road.

The subject property is within the boundaries of Kingston's Brownfield Community Improvement Plan (CIP) but is not within a designated Project Area. The addition of this new Project Area will allow the property owner to apply to the City for financial assistance through the Brownfields CIP Program. A decision regarding financial assistance for the subject property through the Brownfields CIP Program will be entirely at the discretion of Council, and will be the subject of a separate report.

The current proposal on the property is for 1,018 dwelling units, which equates to a net residential density of 54.4 units per net hectare, on the residential portion of the proposal. Through the ongoing review of the applications for Official Plan amendment, zoning by-law amendment and Draft Plan of Subdivision, staff have advised the applicant that minimum density provisions will be included with any possible future recommendation to approve the proposal.

**Application for Proposed Amendment to the Brownfields Community  
Improvement Plan  
700 Gardiners Road**

This public meeting was done in conjunction with the Official Plan and ZBL Draft plan of subdivision public meeting.

## **Regular Planning Committee Meeting Number 13-2016**

### **Meeting to Order**

Councillor Schell called the regular meeting to order at 10:57 p.m.

### **Approval of the Agenda**

Moved by Councillor Neill  
Seconded by Councillor Osanic

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

**Carried**

### **Confirmation of Minutes**

There were none.

### **Disclosure of Pecuniary Interest**

There was none.

### **Delegations**

There were none.

### **Briefings**

There were none.

### **Business**

#### **a) Application for Zoning By-Law Amendment 469, 471 and 473 Earl Street**

Moved by Councillor Turner  
Seconded by Councillor Osanic

**That** it be recommended to Council that the application for a zoning by-law amendment (File Number D14-016-2016) submitted by Peter Radley, on behalf of Donald Wright King, for the property municipally known as 469, 471 and 473 Earl 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-16-061; 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**

**b) Application for Proposed Amendment to the Brownfields Community Improvement Plan 700 Gardiners Road**

Moved by Councillor Allen  
Seconded by Councillor Neill

**That** the application for an amendment to create a new Community Improvement Project Area in the City of Kingston Community Improvement Plan for Brownfields Project Areas 1A, 1B and 1C (File Number D18-002-2015), submitted by FoTenn Consultants Inc., on behalf of Taggart (Gardiners) Corporation, for the property municipally known as 700 Gardiners Road, be approved; and

**That** it be recommended to Council that By-Law Number 2005-40 “A By-Law to Designate Brownfields Project Areas 1A, 1B and 1C as Community Improvement Project Areas”, as amended, be further amended as per Exhibit C (Draft By-Law and Schedule A to add a new Community Improvement Project Area) to Report Number PC-16-063; and

**That** it be recommended to Council that By-Law Number 2005-41 “A By-Law to Adopt the Community Improvement Plan for Brownfields Project Areas 1A, 1B and 1C”, as amended, be further amended as per Exhibit D (Draft By-Law and Schedule A to add site-specific policies to the Brownfields CIP) to Report Number PC-16-063; and

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

**Carried**

**c) Application for Official Plan & Zoning By-Law Amendment 1145 McAdoo’s Lane**

Councillor Allen asked about the impact of the reduced woodlands and sought clarity on whether the woodland at the rear of the plot will remain in place. Ms. Lambert replied that the environmental assessment noted that the significant woodland that had been removed will not impact the contributory woodland which will be retained. She explained that the setback to the woodlands of a minimum of 30 metres will help to preserve the woodlands and a further tree inventory will be completed.

In response to a question from Councillor Allen about fencing and the storage of potentially hazardous products, Ms. Lambert replied that the rear fencing will not be necessary due to setbacks and that the zoning by-law prohibits open storage of hazardous materials.

Moved by Councillor Allen  
Seconded by Councillor Turner

**That** it be recommended to Council that the applications for Official Plan amendment and Zoning By-Law amendment (File Numbers D09-026-2014 and D14-105-2014) submitted by McIntosh Perry Consulting Engineers, on behalf of Hughson Group Incorporated, for the property municipally known as 1145 McAdoo's Lane, be approved; and

**That** the City of Kingston Official Plan, as amended, be further amended, amendment number 49, as per Exhibit A (Draft By-Law and Schedule A to amend the Official Plan) to Report Number PC-16-052; and

**That** By-Law Number 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, be further amended as per Exhibit B (Draft By-Law and Schedule A to amend Zoning By-Law Number 76-26) to Report Number PC-16-052; 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-laws be presented to Council for all three readings.

**Carried**

**d) Application for Zoning By-Law Amendment 965 Milford Drive**

Councillor Osanic stated that the application is in her Collins-Bayridge district and that her constituents have voiced their support and opposition to the development. She advised that there was confusion about the purpose of the application and that the Ontario Human Rights Code states that the City cannot regulate who lives in what buildings and cannot grant or deny an application based on who could live there. Councillor Osanic explained that residents' concerns centered on safety and the application negatively affecting housing prices.

Councillor Osanic informed the Committee that she requested two additional site plan requests regarding the fence and that the solid cedar hedge be left untouched. She asked that a fence between the cedar hedge and the edge of the sidewalk to extend the boundary to the sidewalk and give both land uses the extra separation. Councillor Osanic asked that the north entrance be used as the main entrance and if the parking

lot entrance could be a service entrance to minimize the flow of foot traffic in and out of the building that the neighbours could see.

In response to a question from Councillor Turner regarding the use of the building, Ms. Agarwal replied that the property definition has been built into the by-law which excludes it from operating as a shelter. She explained that transitional housing is a shared housing situation and it will not operate as an emergency shelter.

Ms. Hurdle added there was a meeting about transitional housing and what it means. She explained the difference between transitional and emergency housing and how Dawn House will work directly with emergency housing units to accommodate women who are transitioning into longer term housing with support services.

Moved by Councillor M<sup>c</sup>Laren  
Seconded by Councillor Neill

**That** it be recommended to Council that the application for a zoning by-law amendment (File Number D14-009-2016) submitted by IBI Group, on behalf of Dawn House Women's Shelter, for the property municipally known as 965 Milford Drive, be approved; and

**That** By-Law Number 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, be further amended, as per Exhibit A (Draft By-Law and Schedule A to amend Zoning By-Law Number 76-26) to Report Number PC-16-055; 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**

**e) Application for Zoning By-Law Amendment 1471-1479 John Counter Boulevard and 16 Terry Fox Drive**

Moved by Councillor Osanic  
Seconded by Councillor Allen

**That** it be recommended to Council that the application for a zoning by-law amendment (File Number D14-012-2016) submitted by the Martin Group of Companies, on behalf of Bob Martin Construction Co. Ltd., for the property municipally known as 1471-1479 John Counter Boulevard and 16 Terry Fox Drive, 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-16-056; 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**

Please see addendum.

### **Date and Time of Next Meeting**

The next meeting of the Planning Committee is scheduled for Thursday July 7, 2016 at 6:30 p.m.

### **Adjournment**

Moved by Councillor Neill

Seconded by Councillor Turner

**That** the meeting of the Planning Committee adjourn at 11:22 p.m.

**Carried**