City Of Kingston
Planning Committee
Meeting Number 05-2018
Confirmed Minutes
Thursday February 15, 2018 at 6:30 p.m.
Council Chamber, City Hall

Committee Members Present
Councillor Neill; Chair (left meeting at 6:54 p.m.)
Councillor McLaren
Councillor Oosterhof
Councillor Osanic
Councillor Turner

Regrets
None

Staff Members Present
Paige Agnew, Director, Building, Licensing & Enforcement
Annemarie Eusebio, Intermediate Planner
Andrea Furniss, Senior Planner
Jim Miller, Director, Engineering & Human Resources, Utilities Kingston
Derek Ochej, Committee Clerk
Stephanie Pettis, Utilities Engineer
Mary Rae, Senior Legal Counsel
Jason Sands, Senior Planner
Marnie Venditti, Manager, Development Approvals

Others Present
Members of the public were present
Introduction by Committee Chair

Councillor Neill, Chair, explained the purpose of the meeting and read the rights and obligations afforded to the Committee members and members of the public during public meetings.

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

The following is a Public Meeting and comprehensive report recommending approval to the Planning Committee regarding an application for a zoning by-law amendment submitted by Utilities Kingston, on behalf of the City of Kingston, with respect to the subject site located at 798 Riverview Way.

The subject property is approximately 520 square metres in area with no frontage on a public road. Vehicular access to the parcel is proposed to be obtained through the Riverview Subdivision and an access lane. The site is currently vacant and is surrounded by large mature trees.

Utilities Kingston completed a Municipal Class Environmental Assessment (Class EA) in 2017 to examine the required sanitary system upgrades within the Kingston East – Rideau Community Planning Area. The assessment concluded that upgrades to the existing sanitary system, including a sanitary sewage pumping station are essential to ensure effective and reliable sanitary servicing for future development areas in the surrounding area. In addition, an Environmental Impact Study (EIS) was completed in 2012 along with an EIS addendum in 2014. In 2015 a subsequent EIS was completed by Cambium Environmental in support of the Class EA. Most recently, a Natural Heritage Evaluation (NHE) was completed in 2017 by Cambium Environmental which concludes the proposed location is suitable and any potential negative impacts may be mitigated through design considerations at the Site Plan Control stage. A Site Plan Control application is anticipated to be submitted in the near future.

The applicant is proposing to rezone the subject property from a site-specific Flood Plain ‘FP-4’ zone to a site-specific Open Space ‘OS-21’ zone that limits the permitted uses to ‘public uses’. The existing ‘FP-4’ zone restricts the lands to be used for no purpose other than ‘conservation use’. The site-specific Open Space ‘OS-21’ zone proposes to limit the use of the lands to a building, structure, or use commissioned by public services by the Corporation or the County, any local board of either the Corporation or the County, any Conservation Authority established by the Government of Ontario, any Ministry or Commission of the Government of Ontario or Canada, any telephone or telegraph company or any railway company authorized under The Railway Act.
The zoning by-law amendment application is necessary to allow the construction of the proposed sewage pumping station to proceed on the subject property. As the Class EA concluded, the additional sewage pumping station is required to ensure effective and reliable sanitary services are provided to support the increasing demand of additional development in the surrounding area. The adjacent Riverview Subdivision received Draft Approval on September 30, 2014 to facilitate the construction of 262 single family dwellings and 97 townhouse dwellings. Phase 1 (D12-021-2015) and Phase 2 (D12-001-2017) of the subdivision were granted Final Approval and are currently under construction. Phase 3 (D12-010-2017) which primarily consists of 69 residential lots and 2 walkway blocks is actively being processed at this time. Phase 3 Pre-Servicing (D36-009-2017) has been issued to facilitate the on-site works for the installation of underground infrastructure. Based on the previously approved and active development applications in the surrounding area, staff are recommending the Statutory Public Meeting and staff recommendation regarding the zoning by-law amendment (D14-002-2018) be considered concurrently.

A Public Meeting with respect to this application is being held concurrent with the regular Public Meeting and recommendation to Planning Committee. The application conforms to and is consistent with the applicable policies in the Provincial Policy Statement and complies with the general intent of the City of Kingston Official Plan. No specific concerns were raised by external or internal agencies with respect to the zoning by-law amendment application.

File Number: D14-002-2018
Address: 798 Riverview Way
Application Type: Zoning By-Law Amendment
Owner: City of Kingston
Applicant: Utilities Kingston
(See Report PC-18-017)

Councillor Neill, Chair, called the public meeting regarding the application for a Zoning By-Law Amendment – 798 Riverview Way to order at 6:34 p.m.

Ms. Diana Keay, DM Wills Associates Ltd., conducted a PowerPoint presentation regarding the application for a Zoning By-Law Amendment – 798 Riverview Way, a copy of which may be obtained by contacting the City Clerk’s Department.

A Public Meeting is being held concurrent with the Comprehensive Report submission with respect to this application on February 15, 2018. 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. In addition, notices were sent by mail to 2 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property and a courtesy notice was placed in The Kingston Whig Standard on February 6, 2018.
Mr. Sands informed the Committee that no items of correspondence had been received regarding the application.

There were no comments or questions from the Committee.

The Chair afforded members of the public the opportunity to comment.

Councillor Neill left the meeting. Councillor Turner assumed the role of Chair.

Mr. Frank Dixon, 495 Alfred Street, Apt 2, inquired about the availability of the Environmental Assessment reports for the application and if any issues were identified due to the application’s proximity to the quarry. Mr. Dixon further inquired about the future use of the property where the current pumping station is located.

Ms. Keay responded that the Environmental Assessment reports were available to the public on the City’s website and that engineers have confirmed there will be no adverse effects due to the application’s proximity to the quarry. Mr. Miller stated that the existing pumping station will be decommissioned and that the property will revert to care of the City’s Real Estate Division.

The public meeting regarding the application for a Zoning By-Law Amendment – 798 Riverview Way adjourned at 6:59 p.m.

Regular Planning Committee Meeting Number 05-2018

Meeting to Order

Councillor Turner, Vice-Chair, called the meeting to order at 7:00 p.m.

Approval of the Agenda

Moved by Councillor Osanic
Seconded by Councillor McLaren

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

Confirmation of Minutes

Moved by Councillor Osanic
Seconded by Councillor Oosterhof

That the minutes of the Planning Committee Meeting Number 04-2018 held on Thursday February 1, 2018 be approved. Carried
Disclosure of Pecuniary Interest

There were none.

Delegations

There were none.

Briefings

There were none.

Business

Councillor Turner explained the format for public participation in the comprehensive report stage of planning applications.

a) File Number: D14-002-2018
   Subject: Comprehensive Report
   Address: 798 Riverview Way
   Application Type: Zoning By-Law Amendment
   Owner: City of Kingston
   Applicant: Utilities Kingston

Mr. Sands conducted a PowerPoint presentation regarding the application for a Zoning By-Law Amendment – 798 Riverview Way, a copy of which may be obtained by contacting the City Clerk’s Department.

There were no comments or questions from the Committee.

The Chair afforded members of the public the opportunity to comment.

Mr. Frank Dixon, 495 Alfred Street Apt 2, sought further details regarding the design of the pumping station. Mr. Miller responded that the pumping station will be of a similar design to the existing pumping station, with the ability to handle a large volume.

Moved by Councillor Osanic
Seconded by Councillor Oosterhof

That the following recommendation be approved and forwarded to Council on February 20, 2018 for consideration:

That it be recommended to Council that the application for a zoning by-law amendment (File Number D14-002-2018) submitted by Utilities Kingston, on behalf of City of Kingston, for the property municipally known as 798 Riverview Way, be approved; and
That By-Law Number 32-74, entitled "Township of Pittsburgh Zoning By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 32-74) to Report Number PC-18-017; 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

Carried

b) File Number: D35-007-2018
    Subject: Comprehensive Report
    Address: 1201 McAdoo’s Lane
    Application Type: Official Plan & Zoning By-Law Amendment
    Owner: 956373/956374 Ontario Ltd.
    Applicant: Martian Properties Inc./Fotenn Consultants Inc.

Ms. Furniss conducted a PowerPoint presentation regarding the application for an Official Plan & Zoning By-Law Amendment – 1201 McAdoo’s Lane, a copy of which may be obtained by contacting the City Clerk’s Department.

Councillor Oosterhof expressed his appreciation for the addressing of public concerns related to the application, adding that he feels the location is appropriate for the application.

The Chair afforded members of the public the opportunity to comment.

Mr. Frank Dixon, 495 Alfred Street Apt 2, spoke to Exhibit J of the report, inquiring of the exact location of the pictures. He discussed the ability of trucks to navigate the intersection, stating that staff should look to make improvements at the intersection. Ms. Furniss clarified that the pictures in Exhibit J were from the eastern portion of McAdoo’s Lane. She spoke to the applicant’s intention to use Division Street as the primary truck access to McAdoo’s Lane. Ms. Furniss stated that Mr. Dixon’s comments would be passed along to the City’s Engineering Department, adding that the Ministry of Transportation would need to be involved in any discussions regarding the intersection as it is an emergency detour route.

Councillor Oosterhof spoke to the resident concerns regarding the use of McAdoo’s Lane by large trucks.

Moved by Councillor Osanic
Seconded by Councillor Oosterhof

That it be recommended to Council that the applications for Official Plan and zoning by-law amendment (File Number D35-007-2017) submitted by Martian Properties
Inc./Fotenn Consultants Inc., on behalf of 956373/956374 Ontario Ltd., for the property municipally known as 1201 McAdoo’s Lane, be approved; and

That the City of Kingston Official Plan, as amended, be further amended, amendment number 60, as per Exhibit A (Draft By-Law and Schedule A and B to Amend the Official Plan) to Report Number PC-18-019; and

That By-Law Number 76-26, entitled “Township of Kingston Restricted Area By-Law”, 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-18-019; 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-laws be presented to Council for all three readings.

Carried

c) File Number: D14-035-2017
   Subject: Comprehensive Report
   Address: 810 Middle Road
   Application Type: Zoning By-Law Amendment
   Owner/Applicant: Joseph Payne

There were no comments or questions from the Committee.

The Chair afforded members of the public the opportunity to comment.

There were no comments from members of the public.

Moved by Councillor Osanic
Seconded by Councillor Oosterhof

That it be recommended to Council that the application for a zoning by-law amendment (File Number D14-035-2017) submitted by Joseph Payne, for the properties municipally known as 810 Middle Road, be approved; and

That By-Law Number 32-74, Entitled "Township of Pittsburgh Zoning By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 32-74) to Report Number PC-18-016; 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) File Number: D35-006-2017
   Subject: Comprehensive Report
   Address: 133 Dalton Avenue
   Application Type: Official Plan & Zoning By-Law Amendment
   Owner: Axion Development Corporation Limited
   Applicant: Fotenn Consultants Inc.

There were no comments or questions from the Committee.

The Chair afforded members of the public the opportunity to comment.

There were no comments from members of the public.

Moved by Councillor Osanic
Seconded by Councillor Oosterhof

That it be recommended to Council that the applications for Official Plan and zoning by-law amendment (File Number D35-006-2017) submitted by Fotenn Consultants Inc., on behalf of Axion Development Corporation Limited, for the property municipally known as 133 Dalton Avenue, be approved; and

That the City of Kingston Official Plan, as amended, be further amended, amendment number 59, as per Exhibit A (Draft By-Law and Schedule A to Amend the Official Plan) to Report Number PC-18-020; and

That By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended, be further amended, as per Exhibit B (Draft By-Law and Schedule A to Amend Zoning By-Law Number 8499) to Report Number PC-18-020;

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

e) File Number: D35-006-2017
   Subject: Supplementary Report
   Address: 133 Dalton Avenue
   Application Type: Official Plan & Zoning By-Law Amendment
   Owner: Axion Development Corporation Limited
   Applicant: Fotenn Consultants Inc.

Note: Business Item e) was considered in advance of Business Item d)
Ms. Eusebio provided the Committee with an overview of the supplementary report for 133 Dalton Avenue.

There were no comments or questions from the Committee.

The Chair afforded members of the public the opportunity to comment.

There were no comments from members of the public.

Moved by Councillor Oosterhof
Seconded by Councillor Osanic

**That** paragraph 2 of the recommendation in Report Number PC-18-018 be deleted and replaced with the following:

That the City of Kingston Official Plan, as amended, be further amended, amendment number 59, as per Exhibit A (Draft By-Law and Schedule A to Amend the Official Plan) to Report Number PC-18-020; and

**That** paragraph 3 of the recommendation in Report Number PC-18-018 be deleted and replaced with the following:

That By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended, be further amended, as per Exhibit B (Draft By-Law and Schedule A to Amend Zoning By-Law Number 8499) to Report Number PC-18-020;

Carried

**Motions**

There were none.

**Notices of Motion**

There were none.

**Other Business**

There was none.

**Correspondence**

There was none.
Date and Time of Next Meeting

The next meeting of the Planning Committee is scheduled for Thursday March 8, 2018 at 6:30 p.m. at City Hall.

Adjournment

Moved by Councillor McLaren
Seconded by Councillor Osanic

That the meeting of the Planning Committee adjourn at 7:29 p.m.  

Carried