Committee Members Present
Councillor Neill; Chair
Councillor Hill
Councillor Hutchison
Councillor Kiley
Councillor Osanic

Regrets
Councillor Chapelle

Staff Members Present
Laura MacCormick, Deputy Director, Planning, Building & Licensing
Jason Sands, Senior Planner
James Thompson, Committee Clerk

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 report to the Planning Committee regarding an application for a zoning by-law amendment submitted by IBI Group Incorporated on behalf of 809 Development Drive Inc., with respect to the subject lands located at 809 & 847 Development Drive. 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 applicant is proposing to rezone the subject property to support the redevelopment of the subject lands with a 4-storey residential apartment building comprised of one hundred and fifty eight (158) dwelling units, and six, 3-storey townhouses comprised of eighteen (18) dwelling units that are anticipated to be in condominium ownership. Access to the proposed development is to be via a 6.5 metre wide access aisle along the western property line that aligns directly with the Truedell Road/Development Drive intersection. Parking will be provided in the form of surface parking, consisting of 31 surface parking spaces for the townhouses and 218 surface parking spaces for the apartment building.

The subject property is designated ‘Residential’, ‘Environmental Protection Area’ and ‘General Industrial’ in the City of Kingston Official Plan and is located within a site-specific Residential Type 4 ‘R4-38’, Open Space ‘OS’, site-specific Open Space ‘OS-19’ and site-specific Environmental Protection Area ‘EPA-2’ zones in the former Kingston Township Zoning By-Law Number 76-26, as amended. The area of proposed development on the subject property is within the portion of the site that is designated ‘Residential’ and ‘Environmental Protection Area’ and zoned site-specific Residential Type 4 ‘R4-38’. The applicant is seeking relief from specific performance standards from the ‘R4-38’ zone for both 809 & 847 Development Drive.

On the parcel known municipally as 847 Development Drive, the applicant is seeking relief from specific performance standards associated with the site-specific Residential Type 4 ‘R4-38’ zone to facilitate the development of the 4-storey apartment building. The applicant is seeking relief from the maximum density, minimum lot frontage, and maximum building height requirements, and is also seeking to remove a provision relating to a children’s play area and to permit front yard parking.

The applicant is proposing to rezone the property at 809 Development Drive to a unique site-specific Residential Type 4 ‘R4-45’ zone to facilitate the development of the proposed 6, 3-storey townhouses that are to accommodate a total of 18 dwelling units. The applicant is seeking relief from the front yard depth, maximum building height, guest room area, maximum dwelling houses per lot and minimum privacy yard requirements.
Councillor Neill, Chair, called the public meeting regarding an Application for Zoning By-Law Amendment – 809 & 847 Development Drive to order at 6:31 p.m.

The agent conducted a PowerPoint presentation regarding Application for Zoning By-Law Amendment – 809 & 847 Development Drive. A copy of the PowerPoint presentation is attached to the original set of minutes located in 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 signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to all 79 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 on March 16, 2019.

Mr. Sands informed the Committee that three items of correspondence have been received regarding the application and were included in the addendum.

Councillor Hutchison sought further information regarding the number of floors proposed for the apartment building. The agent responded that for the purpose of the Zoning By-Law amendment application, a four storey apartment building has been proposed and mentioned that the first floor of the building will not be inhabited.

Councillor Kiley requested additional explanation regarding the proposed lighting plan and questioned if the lighting will impact neighbouring properties. The agent responded that the lighting plan was prepared by an engineer and is available to the public on DASH. He noted that the lighting should not impact neighbouring properties.

Councillor Kiley referenced page 50 of the Report and sought further information regarding the screening proposed for the property boundary. The agent responded that there will be a buffer between the parking lot and residential properties. He noted that a landscaping plan will be provided for consideration during the site plan process.

Councillor Kiley noted that the proposed townhouses and apartment buildings will be four to five times larger than the neighbouring bungalows. The agent responded that due to the proposed setbacks it is felt that the proposed development is appropriate from a planning rationale standpoint.
Councillor Kiley sought further explanation regarding the rationale behind the request to remove the children’s play area from the proposal. The agent indicated that the development will include an outdoor amenity space and explained that a children’s play area is not technically required. He provided additional information regarding the revised amenity space design. Mr. Sands indicated that staff have required as a condition of the Zoning By-Law Amendment that a planting strip along the boundary be installed. He indicated that this matter will be discussed further as part of the site plan process.

Councillor Osanic questioned if the entrance to the subdivision will align to form a four-way stop with Trudell Road. The agent provided additional information regarding the design of the intersection.

Councillor Osanic asked the agent whether a boardwalk feature has been proposed for along the creek. The agent responded that a north-south active transportation trail has been proposed for the site. He indicated that the Cataraqui Region Conservation Authority is required to approve any creek crossings.

Councillor Osanic spoke to the Environmental Impact Statement (EIS) addendum and questioned if the Cataraqui Region Conservation Authority has reviewed the document. She questioned if the applicant is seeking relief from any of the setback requirements. The agent provided the Committee with background information regarding the setbacks currently in place on the site. He stated that the applicant will continue to work with the Conservation Authority throughout this project. He indicated that it is not permissible to remove trees from within the Environmental Protection Area. He commented that the applicant intends to keep as many trees as possible on the site.

Councillor Osanic questioned if there are turtles living in the area and noted that the EIS amendment does not make reference to turtles living on the site. Mr. Sands indicated that the technical details of the EIS amendment will be reviewed further by the Cataraqui Region Conservation Authority.

Councillor Hill requested clarification regarding the zoning currently in place. Mr. Sands responded that the current zoning would permit the construction of a 12.8 metre building. Councillor Hill commented that the Zoning By-Law Amendment proposal is effectively requesting to double the height of the building. He sought further information regarding the proposed height of the apartment building penthouse. The agent responded that the penthouse and amenity space is situated nearby the creek and indicated that the proposed height of the penthouse is approximately six storeys. He indicated that the details associated with the orientation and design of the penthouse is still being discussed with staff.
Councillor Neill requested that Councillor Kiley assume the role of Chair.

Councillor Neill questioned whether the applicant is required to develop parkland or provide payment in lieu of parkland. Mr. Sands responded that the applicant is required to provide either parkland or cash in lieu of parkland. He spoke to the construction of the trail as well as other potential options which are currently being considered between the applicant and Recreation & Leisure Services staff.

In response to a question from Councillor Neill, Mr. Sands provided information regarding the calculation of amenity space.

Councillor Neill mentioned that the proposal seems like it is intended to serve as a family friendly space and questioned why the applicant is seeking forgiveness regarding the children’s play area requirement. The agent indicated that the design of the amenity space will be reviewed further. Mr. Sands provided clarification that a children’s play space is no longer included in the City’s amenity space definition. He stated that the amenity space proposal conforms to current requirements. Councillor Neill commented that he would still like to see some playground space included in the design.

Councillor Neill resumed the role of Chair.

The Chair afforded members of the public with an opportunity to provide comment.

Ms. Katherine Sant, 321 Boxwood Street spoke to the correspondence that she submitted regarding this matter and included in the addendum. She sought further information regarding the proposed garage height. She requested that the applicant provide a proper rendering of the development.

Mr. Chris Hargreaves, Kingston Field Naturalists indicated that the Official Plan has established a minimum setback of 30 metres from all bodies of water. He commented that the Zoning By-Law amendment which was approved in 2015 reduced setbacks to 6 metres from the 100 year flood line, a 9 metre setback from the slope of the creek and 15 metres from the edge of the wetland. He questioned if the applicant is seeking additional setback relief. He expressed concern regarding the storm water management plan and questioned where the runoff from the parking lots will drain. He asked staff why the application was deemed complete on November 5, 2018 if some of the information such as a storm water management plan is still missing.

Mr. Frank Dixon, 495 Alfred Street indicated that he is supportive of the proposal in principle. He mentioned that he shares some of the concerns which were raised by the previous speakers. He questioned if there are any brownfield concerns with the site.
He stated that the Report does not include a topographical map which provides adequate detail regarding drainage and slope. He asked staff what version of the Official Plan will be utilized to review the application. He indicated that the storm water management plan requires additional review. He reiterated that he is supportive of the application as Kingston requires additional housing.

Mr. Les Lafferty, 929 Jasper Court (Jehovah’s Witness Kingston Hall) indicated that he does not have any objection regarding the construction of the proposed buildings. He wished to ensure that adequate fencing is installed to ensure that the southern and eastern boundary of the Jehovah’s Witness property is adequately secured. He commented that he does not want the church parking lot to be abused by the development and indicated that he is also concerned about vandalism.

The agent noted that the storm water management plan will be reviewed further to determine if the snow storage area could be placed elsewhere on the site.

The agent reiterated that the report related to lighting is available on DASH and commented that the lighting should not spill over beyond the property boundary.

The agent stated that the landscaping plan will be available on DASH once completed.

The agent indicated that he will review the garage matter further and will provide an update on DASH. He explained that the proposed garages were intended to be optional and commented that he is not certain of their status.

The agent confirmed that the applicant is not seeking additional relief from the existing setbacks.

The agent clarified that the storm water management plan has been submitted and will be considered further during the site plan process. He noted that the storm water management report is available on DASH as well as documents related to the lot grading.

The agent noted that the environmental impact statement was prepared as part of the previous application and indicated that the property is safe for residential development.

The agent confirmed that the applicant conforms to the current Official Plan.

The agent provided additional information regarding the design of the parking lot and indicated that vehicle charging stations will be installed during construction.
The agent stated that the applicant would be pleased to meet with representatives from the Jehovah’s Witness Kingdom Hall regarding their concerns. Mr. Sands provided the Committee with additional information regarding lighting and mentioned that the applicant would be required to assume the cost for any required mitigation measures.

Mr. Sands clarified that the application was deemed complete on November 5, 2018 as all necessary information was provided. He stated that following the submission of the application, the application was amended at the request of the applicant which delayed the process.

Councillor Kiley sought confirmation that the garbage storage will be enclosed. The agent responded that the garbage facility will be enclosed and indicated that this matter will be examined further during the site plan process.

Councillor Kiley sought further information regarding alternate snow storage locations. The agent responded that he will follow up with the engineer regarding this matter.

Councillor Kiley asked staff whether they are confident that the runoff associated with the snow storage can be properly drained from the site. Mr. Sands responded that this matter will be considered further during the technical review of the application.

Councillor Kiley questioned how many trees will be removed from the site. The agent spoke to the arborist report and indicated that the majority of the trees are located within the Environmental Protection Area and as such will not be removed.

In a response to a question from Councillor Hutchison, Mr. Sands explained that the midpoint of the proposed apartment building is expected to be approximately 62 metres from Development Drive and approximately 90 metres from the Boxwood Drive backyards.

Councillor Hutchison requested that staff examine the potential impact of noise on the adjacent neighbourhoods.

In response to a question from Councillor Kiley, Mr. Sands provided information regarding the process moving forward.

Councillor Neill requested that Councillor Kiley assume the role of Chair.

Councillor Neill stated that given that Council has recently declared a climate emergency it would be beneficial if the applicant considered a permeable surface for the parking lot. He spoke to the importance of installing vehicle charging stations.
Councillor Neill requested confirmation that the storm water management plan demonstrates that neighbouring properties will not be impacted by runoff. Mr. Sands responded that this matter would be examined further during the site plan process. Councillor Neill questioned if any of the units will be accessible and requested further information regarding the number of accessible parking spaces. The agent responded that he would follow up regarding whether any of the units are accessible. Mr. Sands noted that nine accessible parking spaces will be offered which meets AODA requirements. He mentioned that the City of Kingston zoning by-laws now reflect the AODA standards.

Councillor Neill commented that the application is complex and noted that many of the issues raised will be considered during the site plan process. He mentioned that it may be worthwhile to bump up the site plan to the Planning Committee.

Councillor Neill resumed the role of Chair.

The public meeting regarding an Application for a Zoning By-Law Amendment – 809 & 847 Development Drive adjourned at 8:00 p.m.

Regular Planning Committee Meeting Number 08-2019

Meeting to Order

Councillor Neill, Chair, called the regular meeting to order at 8:00 p.m.

Approval of the Agenda

Moved by Councillor Osanic
Seconded by Councillor Hill

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 Hill

That the minutes of Planning Committee Meeting Number 07-2019, held Thursday March 7, 2019, be confirmed.

Carried
Disclosure of Pecuniary Interest

There were none.

Delegations

There were none.

Briefings

There were none.

Business

There was none.

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 April 4, 2019 at 6:30 p.m. at City Hall.

Adjournment

Moved by Councillor Hutchison
Seconded by Councillor Osanic

That the meeting of the Planning Committee adjourn at 8:01 p.m.

Carried