



**CITY OF KINGSTON
PLANNING COMMITTEE
MEETING NO. 06-2012
AGENDA**

**Thursday, March 29th, 2012, 6:30 p.m.
In the Council Chamber at City Hall**

**Please provide regrets to Susan Powley, Committee Clerk
at 613-546-4291, Ext. 1204; spowley@cityofkingston.ca**

COMMITTEE COMPOSITION

Councillor Berg
Councillor George
Councillor Hector

Councillor Paterson
Councillor Reitzel
Councillor Scott

- 1. MEETING TO ORDER**
- 2. CONFIRMATION OF AGENDA**
- 3. CONFIRMATION OF MINUTES**

THAT the minutes of the Planning Committee Meeting No. 05-2012 held March 1st, 2012 be approved.

Distributed Separately

- 4. DISCLOSURE OF PECUNIARY INTEREST**
- 5. DELEGATIONS / BRIEFING**
- 6. BUSINESS**
 - i. COMPREHENSIVE REPORT**
Application for Final Plan of Condominium
CaraCo Development Corporation
Blocks 213, 214 and 215, 13M-58
File No. D07-016-2012

The Report of the Commissioner of Sustainability and Growth (PC-12-031) is attached.

(See Pages 1-15)

Recommendation:

THAT it be recommended to Council that the application for Final Approval of a Plan of Condominium (Our File No. D07-016-2012) submitted by CaraCo Development Corporation, for an 8.0 metre wide rear lane on Blocks 213, 214 and 215, Registered Plan 13M-58, **BE APPROVED**; and,

THAT Final Approval be granted to the Plan of Condominium submitted by CaraCo Development Corporation, with respect to a common element condominium consisting of an 8.0 metre wide rear lane on Blocks 213, 214 and 215, Registered Plan 13M-58, subject to the Owner entering into a Condominium Agreement with the City, which Agreement shall provide further notice to the Condominium Corporation and present and future purchasers of the conditions contained within the registered Subdivision Agreement and that the Condominium Corporation will be responsible for maintaining the approved subdivision works and fulfilling any conditions of the Agreement; and,

THAT following the execution of the Condominium Agreement, the Director of Legal Services be authorized to forward the necessary signed and stamped originals and required copies of the Final Plan of Condominium to the Land Registry Office for registration.

ii. **COMPREHENSIVE REPORT**
Application for Zoning By-Law Amendment
1 Mack Street Ltd.
1, 11 & 15 Mack Street and 318 & 320 Alfred Street
File No. D14-211-2011

The Report of the Commissioner of Sustainability and Growth (PC-12-032) is attached.

(See Pages 16-47)

Recommendation:

THAT it be recommended to Council that the application for Zoning By-Law Amendment (Our File No. D14-211-2011) submitted by 1 Mack Street Ltd., for the property located at 1, 11 & 15 Mack Street and 318 & 320 Alfred Street), **BE APPROVED**; and,

THAT the City of Kingston Zoning By-Law No. 8499, as amended, be further amended as follows:

1. That Schedule "C" be deleted in its entirety.
2. That Zoning Schedule "A", Map 19 of Zoning By-Law No. 8499, as amended, is hereby further amended by changing the zone symbol to „B3.42“ of the lands shown as "Subject Lands Rezoned from A.42 to

B3.42” on Schedule “A” attached hereto and forming part of amending By-Law No. 2012-__.

3. That Section 42 to Part VIII – EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS of the By-Law be **replaced** in its entirety, with the following

“42. 1, 11 & 15 Mack Street and 318 & 320 Alfred Street

Notwithstanding any provisions of Section 16 hereof to the contrary, on the lands zoned „B3.42” on Schedule “A” attached hereto, the following provisions shall apply:

- a) PERMITTED USE: multiple family dwelling
- b) MINIMUM YARDS:
 - (i) from north property line – 7.1 metres
 - (ii) from east property line – 1.4 metres
 - (iii) from south property line – 3.5 metres
 - (iv) from west property line – 10.6 metres
- c) MAXIMUM LOT OCCUPANCY: 128%
- d) MAXIMUM NUMBER OF RESIDENTIAL UNITS: 23
- e) MAXIMUM NUMBER OF BEDROOMS PER UNIT: 3
- f) MAXIMUM NUMBER OF BEDROOMS: 54
- g) MINIMUM NUMBER OF ON-SITE PARKING SPACES: 1 parking space per unit
- h) MINIMUM AMENITY SPACE AREA: 1,045.0 square metres
- i) Any side yard abutting any part of a lot occupied by a one-family dwelling or a two-family dwelling shall be fenced with a 1.83 metre high wood board fence.
- j) PROJECTION INTO YARDS: Notwithstanding any provision of Section 5.8 hereof to the contrary, the following provisions shall apply:
 - (i) A covered or uncovered unenclosed porch, deck, balcony or veranda may project out from the main building wall providing it is no closer than 0.3 metres to the east lot line and 2.0 metres to the south lot line.
 - (ii) Uncovered steps may project out from the main building wall up to the front lot line.
- k) RESIDENTIAL UNITS FRONTING ON A STREET: Notwithstanding

any provision of Section 5.22 hereof to the contrary, the building known as 11 Mack Street existing on the site as of the date of the passing of this By-Law, shall be deemed to comply with the regulations of this Zoning By-Law for residential units fronting on a street. In the event that the existing building known as 11 Mack Street is removed, any new development shall be subject to the regulations of this By-Law"; and,

THAT the Amending By-Law be presented to City Council for all three readings.

iii. **Secondary Suite Implementation**

The Report of the Commissioner of Community Services (PC-12-030) is attached.

(See Pages 48-87)

Recommendation:

THAT Council direct staff to develop and process the required Official Plan Amendment and Zoning Bylaw Amendment to implement the Second Residential Unit Research Report prepared by FoTenn Consultants Inc.

7. OTHER BUSINESS

8. CORRESPONDENCE / DOCUMENTS

9. DATE OF NEXT MEETING

The next meeting of the Planning Committee is scheduled to be held on Thursday, April 19th, 2012 at 6:30 p.m. in the Council Chamber.

10. APPLICATIONS RECEIVED /IN PROCESS

	Application Type	Applicant	Civic Address	File No(s).	Proposal	Status
i	ZBA	Elevator Bay Development Ltd	1102,1106 & 1110 King St. West	D14-164-2009	To increase the amount of units from 343 dwelling units to 363	Public Meeting held Dec 3/09
ii	ZBA	1126497 Ontario Inc.	346 University Ave.	D14-172-2009	increase the number of dwelling units from 8 to 10	Public Meeting held Mar 4/10
iii	OPA/ZBA/Draft plan of Subdivision	1278804 Ontario Corp.	3480 Princess St.	D09-051-2010, D14-182-2010 & D12-055-2010	Applications for development of a commercial block and 20 townhouse dwelling units	Last day for Appeals March 22, 2012
iv	ZBA	Jay Patry Enterprises Inc.	630 Princess Street	D09-053-2010 & D14-188-2010	21 residential dwelling units and 2 commercial units	Appealed to OMB
v	OPA/ZBA	LaFarge Canada Inc.	1338-1362 McAdoo's Lane	D09-056-2011 D14-200-2011	expand the existing stone quarry operation.	Public Meeting held on April 7/11
vi	ZBA/Draft Plan of Subdivision	Green Homes	2803 Creekford Rd.	D14-202-2011 & D12-058-2011	102 unit subdivision and future residential blocks	Public Meeting held on April 7/11
vii	ZBA	Theadine Bobb	234 Briceland Street	D14-207-2011	To allow for a second residential unit within this half of the semi-detached building	Received Decision from the OMB
viii	ZBA	Anna Lane Co-operative Development Corp	326 Bagot Street	D14-208-2011	9 storey 120 condo units with underground parking	Appealed to OMB

ix	ZBA	1 Mack Street Ltd.	1-15 Mack St. & 318-320 Alfred St.	D14-211-2011	To construct a 15 unit dwelling	Public Meeting held July 7/11 Going to Regular Meeting on March 29/12
x	ZBA	John & Brenda Cooke	522 524 Johnson St.	D14-214-2011	New 6 unit residential building	Public Meeting held August 4/11
xi	ZBA	Metrus (Terra) Properties Inc.	2666 Princess St. & 1027 Midland Ave.	D14-215-2011	To permit the establishment of additional commercial uses	Public meeting on August 4/11
xii	OPA/ZBA	Homestead Land Holdings Ltd.	725 Hwy 15	D09-061-2011 & D14-221-2011	To permit 3,800 square metres of commercial space	
xiii	ZBA/ Draft Plan of Subdivision	Homestead Land Holdings Ltd.	999 Purdy's Mill Road	D14-219-2011 D12-064-2011	1575 dwelling units 6 high-rise residential buildings and 172 dwelling units are proposed	Public Meeting held on Nov 3/11
xiv	ZBA	David V. Craig	1264 Channelview Rd.	D14-222-2011	To permit two single family residential lots reduce the lot frontage.	Public Meeting held Dec 1/11
xv	Draft Plan of Subdivision	Tamarack (Cataraqui North) Corp.	1380 Crossfield Ave.	D12-030-2007	vacant land that is being held as a potential school location by the Limestone District Public School Board	Public Meeting to be held on Dec 1/11

xvi	OPA/ZBA	Tamarack (Rideau) Corporation	1156-1200 Hwy 15	D09-062-2011 & D14-226-2011	To permit the commercial use, add a bank or financial institution and a clinic as permitted uses, and reduce the required parking area	Public Meeting held January 19/12
xvii	ZBA	William Lee	278-280 Frontenac St.	D14-227-2011	To create three dwelling units consisting of 4 bedrooms per unit and a total gross floor area of 710 square metres.	Went to Public meeting on January 19/12
xviii	ZBA	Province of Ontario	566 Cataraqui Woods Dr.	D14-228-2011	To allow this portion of the corridor to be used as a gravel parking lot with internal access from 566 Cataraqui Woods Drive as part of Hydro One and Infrastructure Ontario's Provincial Secondary Land Use Program.	Last day for Appeals March 22/12
xix	ZBA	4434668 Canada Inc.	471 Cataraqui Woods Dr.	D14-229-2011	The requested zone modification is to treat all parcels within the MU1*1 Zone as a single parcel for the purpose of zone interpretation.	Last Day for Appeals March 22/12
xx	ZBA	Southwinds Enterprises Inc.	3651 Genge Rd.	D14-225-2011	To permit the multi-sport recreational facility, increase the building height and reduce the parking requirement.	Public Meeting held January 19/12

xxi	ZBA	B. Patry, C. Parslow, A. Patry, M. Parslow	148 Nelson St.	D14-224-2011	The purpose of permitting the construction of a rear addition to an existing single detached dwelling to create a second dwelling unit.	Went to Public Meeting on January 19/12
xxii	OPA/ZBA/Draft Plan of Subdivision	2292922 Ontario Inc.	2130 Isle of Man Lane	D09-063-2012 D14-232-2012 D12-066-2012	To permit a 12 lot rural estate residential subdivision serviced by individual private well and septic systems.	Public Meeting on Mar 1/12
xxiii	ZBA	V. Vigneswaran	1986 Hwy 15	D14-234-2012	To permit a take-out restaurant and drive-through use.	Public Meeting on Mar 1/12
xxiv	OPA/ZBA/Draft Plan of Subdivision	0862506 B.C. Ltd.	2611 Isle of Man Rd.	D09-064-2012 D14-235-2012 D12-067-2012	To develop a 31 estate residential lot subdivision including of 2 roads and 1 open space block.	In Process
xxv	ZBA	Jay Patry	203 Colborne St.	D14-195-2010	permit the establishment of 5 dwelling units with a reduction in parking, a reduction in amenity space and a reduction in play space and an increase in maximum lot occupancy.	Went to Public Meeting on Mar 1/12
xxvi	ZBA	James C. Simmons	280 Regent St.	D14-236-2012	Permit the establishment of a second dwelling unit within an existing single detached dwelling house	Went to Public Meeting on Mar 1/12

xxvii	OPA/ZBA	Braebury Development	351 Select Dr.	D09-066-2012/ D14-237-2012/ D11-374-2012	Request permission to introduce a self-storage use on the subject property.	In Process
xxviii	ZBA	Queen Mary Inc.	358 Queen Mary Rd.	D14-233-2012	Permit the establishment of 6 additional dwelling units in the cellar of an existing residential apartment building for a total of 87 dwelling units	In Process
xxix	ZBA	Highpoint Development	363,365 &367 Johnson St.	D14-238-2012		In Process

11. Applications Requested To Be Bumped Up To Planning Committee For Site Plan Control / or Final Subdivision Approval:

	Applicant	Civic Address	Related File No(s).	Proposal	Bump Up Request	Details
i.	Admiral Walk Residences Inc	1102, 1106 & 110 King Street	D14-092-2007	Senior Citizen Apartment	Planning Committee	Application not submitted
ii	Rock Bottom Holdings	Marker Crescent & Conacher Dr.	D14-053-2006 D11-318-2010	Townhouses/Condo Development	Planning Committee	Application submitted on December 2, 2010. Currently inactive.
iii	7116381 Canada Ltd.	630 Princess Street	D09-053-2010 D14-188-2010	21 residential dwelling units and 2 commercial units	Public Meeting held on Sept 2/10	Bumped at planning committee – application for Site Plan Control not submitted, to date

iv	Jay Patry	203 Colborne Street	D14-195-2010	5 dwelling units with a reduction in parking, a reduction in amenity space and a reduction in play space and an increase in maximum lot occupancy	Jim Neill	Bumped up
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13. Approved Site Plan Items:

D11-360-2011-M – 62 King Street West – City of Kingston/Utilities Kingston – King St. Sewage Pumping Station upgrades
D11-354-2011 – 1000 Innovation Drive – Utilities Kingston/City of Kingston – Elevated Water Tank

14. Applications Appealed To Ontario Municipal Board:

D09-035-2008 – 495 – 513 Frontenac Street – Phase 2 of hearing, date pending
D11-322-2010 – 495-513 Frontenac Street & 563-567 Princess Street – Hearing date pending
D14-188-2010 – 630 Princess Street – Hearing date pending
D14-207-2011 – 234 Briceland Street – OMB Order Approving Application issued March 5, 2012
D14-208-2011 - 326 Bagot Street – Hearing date pending

15. ADJOURNMENT

ABEYANCE ITEMS

	Date placed in Abeyance	Description of Item	Deadline for Response	Status	Priority Matrix
1	August 16/11	<p>Delegated Authority for Planning Approvals</p> <p>Staff review By-Law No. 2006-75 “A By-Law To Delegate Various Planning Approvals To Staff And To Adopt Certain Procedures For The Processing Of Planning Applications Subject To Delegated Authority”, regarding the process for referral of Subdivision and Site Plan approvals to Council and Planning Committee including a review of delegation of authority by-laws of other municipalities and the associated processes and report back with an overview of this information and any other options back to Planning Committee.</p>		<p>On the March 1, 2012 agenda as report No. PC-12-029</p>	

Links to Land Use Planning Documents	
Planning Act	http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90p13_e.htm
Provincial Policy Statement	http://www.mah.gov.on.ca/Page1485.aspx
City of Kingston Official Plan	http://www.cityofkingston.ca/business/development/officialplan/index.asp
City of Kingston Zoning By-Laws	http://www.cityofkingston.ca/business/development/zoning/index.asp