



**City Of Kingston
Planning Committee
Meeting Number 15-2019
Minutes
Thursday July 4, 2019 at 6:30 p.m.
Council Chamber, City Hall**

Committee Members Present

Councillor Neill; Chair
Councillor Chapelle
Councillor Hill
Councillor Hutchison
Councillor Kiley
Councillor Osanic

Regrets

Staff Members Present

Sukriti Agarwal, Acting Project Manager
James Bar, Senior Planner
Lindsay Lambert, Senior Planner
Greg McLean, Policy & Program Coordinator
Ian Semple, Director, Transportation Services
James Thompson, Committee Clerk
Colin Wiginton, Cultural Director

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.
Official Plan & Zoning By-Law Amendment

The following is a Public Meeting report to the Planning Committee regarding a City-initiated application for an Official Plan and zoning by-law amendment regarding residential parking and driveways. This report describes the proposed application and includes an overview of the relevant policies and regulations applicable to the proposed amendments.

The proposed amendments are intended to provide additional opportunities for off-street parking in residential areas, with limitations, while at the same time to balance the need for maintaining the streetscape and neighbourhood character. In accordance with Provincial direction, the City is in the process of amending its Official Plan and the zoning by-laws to establish “as-of-right” permissions for second residential units within single-detached dwellings, semi-detached dwellings, linked and row houses as well as in ancillary buildings. These amendments would increase permissions for second residential units throughout the City without the need for planning approvals, except in areas of potential or known servicing constraints. Second residential units are an important tool in contributing to the supply of affordable housing. A comprehensive report regarding the proposed Official Plan and the zoning by-law amendments regarding second residential units is being presented on the same night as this report. With the broadening of permissions to establish second residential units, it is expected that on-street parking spaces in residential areas will be used more frequently and for longer durations than permitted by the Parking By-Law.

Parking in a driveway in a portion of a front yard where the driveway does not lead to a parking space in a garage, side or rear yard is currently not permitted. Enforcement relating to such by-law infractions is on a complaint basis. The amendments presented in this report propose to broaden permissions to allow parking within a driveway, with limitations on the size of the driveway, and speak to the location and configuration of residential off-street parking spaces.

The proposed amendments are supportive of additional residential units which contribute to the supply of affordable housing. By allowing additional opportunities for parking spaces to be located on-site, it is anticipated that the proposed changes would help reduce overflow of residential parking onto the streets which creates operational challenges. The proposed amendments would also provide an opportunity to establish off-street parking spaces in existing situations where residential properties do not have access to a garage, side or rear yard. Further, the proposed amendments are anticipated to contribute to enhanced accessibility with parking spaces potentially being able to be located closer to the main entrance of a dwelling.

The proposed Official Plan amendment is intended to clarify that new and existing low density residential development with at grade access will not have front yard parking

except for parking in a permitted driveway in a portion of the front yard as per the provisions of the zoning by-law (policies 4.6.59 and 4.6.60). The restriction that parking in a driveway is only permitted where the driveway leads to a permitted parking space in a garage, side or rear yard is proposed to be removed. The proposed zoning by-law amendment is intended to implement the above-noted Official Plan amendment, and also amend provisions related to permitted driveway widths and the parking of recreational vehicles, watercraft and trailers in residential zones. Regulating the temporary parking and storage of recreational vehicles, watercraft and trailers in residential zones on a seasonal basis has been proposed in the first draft of the new City-wide Zoning By-Law. However, recognizing that the implementation of the new City-wide Zoning By-Law is anticipated to take an extended period of time, amendments regarding the parking and storage of recreational vehicles, watercraft and trailers is being undertaken in advance of the new City-wide Zoning By-Law. The proposed zoning by-law amendment affects Zoning By-Law Numbers 8499, 96-259, 97-102, 76-26, 32-74, 3077 and 8402.

File Number: D35-004-2019

Address: City-wide (address in DASH shown as City Hall, 216 Ontario Street)

Application Type: Official Plan and Zoning By-Law Amendment

Owner: Various

Applicant: The Corporation of the City of Kingston

Councillor Neill, Chair, called the public meeting regarding an Official Plan and Zoning By-Law Amendment regarding residential parking and driveways to order at 6:31 p.m.

Ms. Agarwal conducted a PowerPoint presentation regarding an Official Plan and Zoning By-Law Amendment regarding residential parking and driveways. A copy of the PowerPoint presentation is attached to the original set of minutes located in the City Clerk's Department.

Ms. Agarwal noted that pursuant to the requirements of the Planning Act, a notice of the Statutory Public Meeting was provided by advertisement in The Kingston Whig-Standard on May 14, 2019, more than 20 days in advance of the Public Meeting. In addition, a notice was sent to all required public agencies. If the application is approved, a Notice of Passing will be circulated in accordance with the provisions of the Planning Act. She explained that additional notice was provided as this matter was deferred from the June 6, 2019 Committee meeting.

Ms. Agarwal informed the Committee that twelve pieces of correspondence regarding the file were received and were included in the addendum.

Councillor Chapelle asked staff how the proposed amendments will help to address the climate emergency. Ms. Agarwal responded that many vehicles are currently parked on the street which leads to operational challenges and also limits the development of active transportation infrastructure. She stated that by allowing two vehicles to park side

by side in a driveway there will be a reduced need for long driveways which will lead to a reduction in paved surfaces. Mr. Semple added that by freeing up additional space in the municipal right-of-way there will be more opportunities to develop protected space dedicated to active transportation.

Mr. Semple provided the Committee with information related to enforcement and indicated that the proposed amendments will be more effective at addressing illegal parking issues.

Councillor Chapelle questioned if staff have examined best practices from other municipalities. Ms. Agarwal provided additional information regarding best practices regarding this matter from comparator municipalities.

Councillor Hill sought further information regarding the proposed setbacks for side-yards. Ms. Agarwal responded that driveways will be permitted to extend to the property line.

Councillor Hill questioned if the primary purpose of the proposed amendments is to limit on-street parking. Ms. Agarwal responded that reducing on-street parking is one of the reasons behind the proposed amendments.

Councillor Hill suggested that new developments could allocate land for the storage of large recreational vehicles. Ms. Agarwal replied that this suggestion is likely not feasible.

Councillor Osanic questioned if it is possible to ensure that trees are not removed from front yards to allow for driveways. Ms. Agarwal responded that the removal of trees is governed by the Tree By-Law.

In response to questions from Councillor Kiley and Councillor Osanic, Ms. Agarwal spoke to the proposed policy changes related to recreational vehicles.

Councillor Kiley noted that a petition regarding this matter was previously presented and requested that it be included in the comprehensive report.

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

Councillor Neill asked staff whether the proposed amendments are being presented in order to support the development of secondary suites. Ms. Agarwal confirmed that one of the reasons influencing the proposed amendments is to encourage the development of secondary suites.

Councillor Neill resumed the role of Chair.

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

Mr. Dixon, 495 Alfred Street commended staff for their excellent work related to the report. He questioned if staff have taken into consideration the best practices of other municipalities. He suggested that staff prepare a database of areas with parking issues.

Ms. Hodge, 27 Bishop Street noted that she has discussed this matter with Councillor Hill and staff. She stated that the by-law should be further amended to account for Class 'C' vehicles. She suggested that a 31 foot Class 'C' recreational vehicle should be permitted to be parked in a driveway for up to 72 hours. She explained that it is difficult to prepare some recreational vehicles for trips due being prohibited from parking in a driveway. She commented that parking a vehicle of this size on a street is also prohibited and would pose a safety issue. She stated that it is difficult for an owner of a Class 'C' recreational vehicle to comply with by-laws. She reiterated that the proposed amendments should be adjusted to account for Class 'C' recreational vehicles.

Ms. Jewel, 427 Greenwood Park Drive applauded staff for the reasonable amendments. She mentioned that she is the co-chair of the Community Advisory Board for Homelessness in Kingston and stated that she is supportive of the removal of barriers associated with the development of secondary suites. She commented that from a personal standpoint she is supportive of the proposed amendments as it will make it easier for recreational vehicles to be parked in residential areas.

Ms. Agarwal responded to the questions raised by members of the public.

Councillor Hutchison noted that illegal parking is a major issue in the downtown. He indicated that he has discussed the proposed amendments with staff and commented that he is satisfied with their explanations. He suggested that parking by-laws should be strongly enforced and stated that driveways which do not conform to by-laws should be removed.

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

Councillor Neill stated that residents should contact the City regarding illegal parking concerns. He commented that he is supportive of the reduction of on-street parking.

Councillor Neill resumed the role of Chair.

The public meeting regarding an Official Plan and Zoning By-Law Amendment regarding residential parking and driveways adjourned at 7:45 p.m.

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 IBI Group Incorporated, on behalf of 317 Developments Inc., with respect to the subject sites located at 168 Division Street and 227 Brock Street (Exhibit C – Key Maps).

A Public Meeting for the application was held on February 7, 2019. This report is being considered for a combined Public Meeting and comprehensive report in order to consider the Community Benefits under Section 37 of the *Planning Act* through a Public Meeting, with a recommendation on the application through the combined report.

The subject property at 168 Division Street is approximately 0.12 hectares in area with approximately 11 metres of frontage on Division Street and 48 metres of frontage on Garrett Street. The site is designated 'Main Street Commercial' in the City of Kingston Official Plan and is located in a 'C' Commercial Uses zone in Zoning By-Law Number 8499, as amended, and is developed with an existing two-storey, mixed-use building with parking at grade.

The applicant intends to remove the existing mixed-use, two-storey building and rezone the lands to facilitate the redevelopment of the site with a 6-storey mixed-use building with commercial and residential uses. The building is proposed to have 244.2 square metres of commercial area at grade with 35 residential units with a total of 100 bedrooms dispersed between floors 2 through 6. The commercial use has frontage onto both Division Street and Garrett Street.

The proposal includes 17 parking spaces with 12 on-site vehicular parking spaces and 36 bicycle parking spaces located within the enclosed building near the western side yard and rear yard of 168 Division Street, and 5 parking spaces located off-site at 227 Brock Street. Parking spaces are proposed at a ratio of 0.42 parking spaces per dwelling unit and a commercial parking ratio of 1 parking space per 150 square metres of gross leasable area. Access to the site is proposed from Garrett Street via a 6 metre wide covered access aisle. The regulated distance to off-site parking is proposed to be increased from 60 metres to 500 metres.

The lands at 227 Brock Street are designated Central Business District and zoned C1-1 in By-Law Number 96-259. The lands at 227 Brock Street are currently developed with a 3.5-storey stone residential building containing 10 dwelling units. There are currently 10 parking spaces located in the rear yard. The applicant is proposing 5 off-site parking spaces located at 227 Brock Street to support the proposal at 168 Division Street. Through this zoning by-law amendment application, the property

known municipally as 227 Brock Street is to be rezoned to reduce the residential parking ratio for 227 Brock Street to 0.5 spaces per dwelling unit, reduce the parking stall dimensions and reduce the drive aisle width.

The City of Kingston will be receiving \$62,138.97 in Community Benefit contributions from the applicant, as allowed through Section 37 of the Ontario *Planning Act*, which will be used to support the development of a public art project, in keeping with the City of Kingston's Public Art Master Plan and Public Art Policy. This public art project would be integrated as part of the proposed development at 168 Division Street that is adjacent to the intersection of Princess and Division Streets. This puts it in close proximity to The Hub Project, which is a City-led public art initiative currently under development that is intended to engage the community and to add vibrancy to the area in support of a broader placemaking strategy. The Hub Project is part of the Downtown Gateway & Princess Street Improvements, as identified in a report to Council ([Report Number 18-114](#)), that directed staff to review options to add some gateway features and public art within the last phase of the Princess Street reconstruction. The funding obtained through 'Section 37 Community Benefits' is not large enough to consider affordable housing options. The building is being constructed in a sustainable manner through the use of wood frame construction and there is no on-site natural heritage or cultural heritage elements to protect/enhance. Therefore, public art as a form of Community Benefit is appropriate to this development project given its location adjacent to The Hub Project, which also ensures the benefits would be directly applied to the area in which the development is proposed.

File Number: D14-031-2018
Address: 168 Division Street and 227 Brock Street
Application Type: Zoning By-Law Amendment
Owner: 317 Developments Inc.
Applicant: IBI Group Incorporated

Councillor Neill, Chair, called the public meeting regarding an Application for Zoning By-Law Amendment – 168 Division Street and 227 Brock Street to order at 7:46 p.m.

Mr. Bar conducted a PowerPoint presentation regarding Application for a Zoning By-Law Amendment –168 Division Street and 227 Brock Street. A copy of the PowerPoint presentation is attached to the original set of minutes located in the City Clerk's Department.

Mr. Bar noted that for 168 Division Street, 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 119 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property (Exhibit M – Public Notice Notification Maps). A courtesy notice was also placed in The Kingston Whig-Standard on January 29, 2019.

Mr. Bar stated that for 227 Brock Street, 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 83 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property (Exhibit M – Public Notice Notification Maps). A courtesy notice was also placed in The Kingston Whig-Standard on January 29, 2019.

Mr. Bar referenced the correspondence received regarding the application.

Councillor Kiley sought further information regarding the requested setback reliefs. He stated that he is supportive of the proposed design and density of the building but is concerned that the building will encroach on the sidewalk. Mr. Bar responded that the applicant is proposing to build a mixed use building located on an urban site and provided additional information regarding the proposed setbacks.

Councillor Osanic referenced the correspondence received regarding the 227 Brock Street property and sought confirmation that the parking lot is simply being reconfigured and that the existing buildings will not be impacted. Mr. Bar responded that heritage planners have reviewed the application and confirmed that only the parking lot is being rearranged. He indicated that a heritage permit would be required if the design of the building was altered.

Councillor Osanic sought further information regarding the survey results and questioned if the residents who responded were providing comment directly related to the community benefits associated with the application or The Hub Project. Mr. Wiginton responded that staff received feedback from approximately 350 residents. He explained that residents would like to see public art in this area of the city in general and not just as part of The Hub Project. He stated that staff believe that the public is calling for this type of public art due to the proximity to The Hub Project. Councillor Osanic asked staff if the mural would be permanent or would be changed over time. Mr. Wiginton responded that staff are exploring what is possible with respect to the art. He informed the Committee that this initiative would be a public-private partnership and noted that the art would belong to the developer. He commented that staff would play a role with respect to artist selection and design.

Councillor Osanic questioned if any of the funds allocated to community benefits will be left over following the installation of the public art. Mr. Wiginton explained that the budget has yet to be finalized and noted that consideration has been given to maintenance, artist fees and administration.

Councillor Hutchison sought further information regarding the rationale for providing parking at 227 Brock Street. Mr. Bar indicated that the Zoning By-Law currently requires that parking be provided within 60 meters of the site while the Official Plan states that providing parking within a walking distance of up to 600 meters is permissible. He provided additional explanation regarding the proposed parking design.

Councillor Hutchison asked staff how the public interest is protected over time with respect to the public art and questioned what would occur if another building was built in front of the art or the owner wanted to remove it. Mr. Wiginton noted that a focus of the Public Art Master Plan was to develop a relationship with the private sector. He commented that an agreement will be in place to ensure that the City is adequately protected.

Councillor Hutchison sought further information regarding the differences between community benefits and parkland dedication. Mr. Bar explained that parkland dedication and community benefits are governed by different sections of the Planning Act. He stated that the City of Kingston Official Plan outlines how community benefits should be administered in relation to Section 37 of the Planning Act. He mentioned that public art is considered a community benefit.

In response to a question from Councillor Chapelle, Mr. Bar spoke to the calculation utilized to determine community benefits. Councillor Chapelle suggested that community benefits should be allocated to planting trees or affordable housing rather than public art. Mr. Bar commented that staff believe that this project allows for a meaningful contribution to be made to The Hub Project. He indicated that staff feel that public art would be of benefit to this area of the city.

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

Councillor Neill noted that the Committee previously held a public meeting regarding this matter in which many land use planning issues were raised. He was of the opinion that many of the issues were not substantially addressed in the comprehensive report. He commented that the applicant has sought numerous reliefs from the Zoning By-Law and questioned if the building design is compatible with the site.

Councillor Neill asked staff how many parking spaces are allocated for residential and commercial purposes. Mr. Bar replied that two parking spaces have been allocated for commercial use while fifteen spaces are set aside for residential purposes. Councillor Neill asked staff if the proposed parking supply is adequate. Mr. Bar noted that a parking ratio of one parking space per 150 square feet is provided for in the Williamsville Main Street Corridor Zoning By-Law and noted that if the property was located across the street there would not be a requirement to provide any commercial

parking. He stated that the proposed parking supply is similar to other projects in the area. He spoke to the location of the property and noted that it is in close proximity to Kingston Transit stops and spoke to active transportation infrastructure in the area. Councillor Neill clarified that the property is not governed by the Williamsville Main Street Corridor Zoning By-Law. Mr. Bar provided further information regarding the ratio of dwelling units compared to parking spaces.

In response to a statement from Councillor Neill, Mr. Bar clarified that the applicant is not seeking relief with respect to amenity space requirements.

Councillor Neill sought confirmation that the applicant is meeting AODA requirements with respect to the barrier free parking spaces.

Councillor Neill stated that he is supportive of The Hub Project and expressed concern that the public feedback received was related to The Hub Project and not specifically the community benefits proposal. He stated that he believes that there is a commitment to hold a community consultation session regarding the community benefits. Mr. Bar referenced the Official Plan in relation to Section 37 of the Planning Act and reiterated that tonight's public meeting is being held in order to receive comments regarding the proposed community benefits. He noted that there is not a requirement for further consultation under the Planning Act.

Councillor Neill asked staff whether this matter is considered time sensitive. Mr. Bar reiterated that the community benefits process is outlined under the Planning Act and Official Plan. He stated that the purpose of this public meeting is to receive feedback on the proposed community benefits. He indicated that staff are confident that the proposal is a suitable from a community benefits standpoint. He commented that the Committee is entitled to defer the application if they see fit. He noted that staff are supportive of the proposed recommendation and indicated that the applicant has been working with the City on the file for the past nine months. He mentioned that due to the compressed Council meeting schedule during the summer, the applicant would like to have the application move forward in order to commence the appeal process. He stated that from a land use planning perspective the proposal reflects the type of development that is required in Kingston. He mentioned that the applicant has proposed a mixed-use building which could bring further change to the area. He indicated that a six storey, timber frame building is the type of development that should be encouraged.

Councillor Neill resumed the role of Chair.

Councillor Neill requested that Mr. Bar address the correspondence received related to the application. Mr. Bar spoke to the correspondence relate to the application.

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

Mr. Grenville, 24 Jenkins Street was present to speak to the application. A transcript of Mr. Grenville's statement is available in the City Clerk's Department.

Mr. Dixon, 495 Alfred Street stated that he believes that the proposed application has improved since it was originally considered at the first public meeting. He commented that he is generally supportive of the project. He noted that the applicant is seeking considerable relief from the Zoning By-Law and suggested that perhaps the building is too large for the site. He questioned why the shadow study has not been discussed. He noted that the property is not located within the Williamsville Main Street Corridor Zoning By-Law. He questioned how many bedrooms currently exist on the site and asked how many bedrooms are being proposed in the new building. He requested information regarding the construction schedule. He stated that Kingston is in need of additional residential units. He suggested that the community benefits should be allocated to affordable housing rather than public art. He suggested that providing parking at the lot nearby the Metro grocery store should be considered.

Mr. Touw, IBI Group informed the Committee that it was not felt that the agent was required to provide a formal presentation at tonight's public meeting as a formal presentation was provided at the February 7, 2019 Committee meeting. He stated that the Parking Study has been completed and it was determined that the proposed parking ratios are acceptable. He clarified that the proposal provides the required amenity space and provided additional information regarding the design of the outdoor amenity space. He noted that the barrier free parking space conforms to AODA requirements. He provided the Committee with information regarding the built form. He emphasized that the Zoning By-Law has not been updated to reflect the intent of the Official Plan and indicated that this is the main reason that so many reliefs were requested. He indicated that the Zoning By-Law is out of date.

Mr. Touw mentioned that there are currently six units on the site. He stated that construction will take between twelve and fourteen months. He indicated that mitigation is not required with respect to shadowing. He commented that the funding allocation related to the community benefits has been determined and commented that Council is welcome to spend the funds as they see fit.

Ms. Agarwal provided the Committee with additional information related to Section 37 of the Planning Act regarding community benefits.

Mr. Bar spoke to the proposed density of the development and indicated that both the built form and density is acceptable and is supported by many studies. He spoke to the parking requirements in relation to the Zoning By-Law.

Councillor Kiley asked staff why so many amendments to the Zoning By-Law are required. Mr. Bar responded that the Zoning By-Law is over thirty years old and noted that the Official Plan is a much more current document. He reiterated that this type of development is what is encouraged and required. He indicated that the proposed amendments are supported by the Official Plan and additional studies. He commented that staff believe that the mixed use and height is appropriate for the location. He reiterated that the site is supported by active transportation infrastructure.

Councillor Kiley asked staff when it is anticipated that the zoning by-laws will be updated. Ms. Agarwal spoke to the anticipated process with respect to the review of the zoning by-laws.

Councillor Kiley sought further information regarding the upcoming update to Section 37 of the Planning Act. Ms. Agarwal noted that the City will be required to have an updated Community Benefits Charges By-Law in place by January, 2021.

Councillor Hill stated that the application represents a perfect example of intensification which meets several of the city's needs. He commented that Council has declared a climate emergency and therefore should not be preoccupied with providing an abundance of parking. He stated that the numerous Zoning By-Law amendments are required as the Zoning By-Law is over thirty years old and no longer reflects the intent of the Official Plan. He mentioned that the developer is opting to provide public art as a community benefit and was of the opinion that the Committee is being overly critical.

Councillor Hutchison stated that he is supportive of the development as it increases density. He indicated that he is concerned about the amount of parking being provided.

The public meeting regarding an Application for a Zoning By-Law Amendment –168 Division Street and 227 Brock Street adjourned at 9:16 p.m.

The Committee recessed.

Regular Planning Committee Meeting Number 15-2019

Meeting to Order

Councillor Neill, Chair, called the regular meeting to order at 9:24 p.m.

Approval of the Agenda

Moved by Councillor Chapelle

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 Hutchison

Seconded by Councillor Osanic

That the minutes of Planning Committee Meeting Number 14-2019, held Thursday June 20, 2019, be confirmed.

Carried

Disclosure of Pecuniary Interest

Councillor Kiley declared a pecuniary interest regarding an application for Zoning By-Law amendment - 235 and 243 Colborne Street and 60, 62, and 64 Elm Street as he owns property adjacent to the involved properties. This matter was considered at the June 20, 2019 Planning Committee meeting, Councillor Kiley was not in attendance.

Delegations

There were none.

Briefings

There were none.

Business

- a) **File Number: D14-031-2018**
Address: 168 Division Street and 227 Brock Street
Application Type: Zoning By-Law Amendment
Owner: 317 Developments Inc.
Applicant: IBI Group Incorporated

Mr. Bar provided the Committee with a summary of the Report.

Mr. Bar noted that both staff and the applicant are supportive of the proposal related to community benefits. He indicated that the applicant would like to play a role in the revitalization of the Hub.

Councillor Hutchison indicated that he is supportive of the application in general. He commented that he does have some concerns regarding the parking ratios. He stated that in many ways the proposed building is reflective of the type of development that Kingston requires.

Councillor Chapelle questioned if vehicle charging stations will be installed on the property. Mr. Bar responded that some of the parking spaces will be equipped with vehicle charging stations. He indicated that this matter will be examined further during the site plan process.

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

Mr. Dixon, 495 Alfred Street stated that he is supportive of the application. He suggested that one to two units should be allocated for affordable housing. He stated that the applicant should consider making arrangements to provide additional parking at the parking lot located nearby the Metro grocery store.

Moved by Councillor Hill
Seconded by Councillor Kiley

That the following recommendation be approved and forwarded to Council on July 9, 2019 for consideration:

That it be recommended to Council that the application for a zoning by-law amendment (File Number D14-031-2018) submitted by IBI Group Incorporated, on behalf of 317 Developments Inc., for the property municipally known as 168 Division Street and 227 Brock Street, be approved; 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 A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 8499) to Report Number PC-19-042; and

That By-Law Number 96-259, entitled "Downtown and Harbour 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-19-042; 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-laws; and

That the amending by-laws be presented to Council for all three readings; and

That Council approves the Community Benefits being sought under Section 37 of the *Planning Act* as described in Report Number PC-19-042, and authorizes the Mayor and Clerk to enter into an agreement, following the review and recommendation by staff, in a form satisfactory to the Director of Legal Services, to execute a Community Benefits agreement with the applicant.

Carried

- b) **File Number: D14-004-2019**
Address: 677-691 Gardiners Road
Application Type: Zoning By-Law Amendment
Owner: SBLP Gardiners Road Inc.
Applicant: FoTenn Consultants Inc.

Mr. Park conducted a PowerPoint presentation regarding 677-691 Gardiners Road. A copy of the PowerPoint presentation is available in the City Clerk's Department.

Members of the Committee and public did not provide comment.

Moved by Councillor Hill
Seconded by Councillor Kiley

That the following recommendation be approved and forwarded to Council on July 9, 2019 for consideration:

That it be recommended to Council that the application for a zoning by-law amendment (File Number D14-004-2019) submitted by FoTenn Consultants Inc., on behalf of SBLP Gardiners Road Inc., for the property municipally known as 677-691 Gardiners Road, be approved; and

That By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law to Amend Zoning By-Law Number 76-26) to Report Number PC-19-043; 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

- c) **File Number: D07-001-2018**
Address: 1005-1015 Terra Verde Way
Application Type: Final Plan of Condominium
Owner & Applicant: 2454433 Ontario Limited

Ms. Lambert conducted a PowerPoint presentation regarding 1005-1015 Terra Verde Way. A copy of the PowerPoint presentation is available in the City Clerk's Department.

In response to a question from Councillor Kiley, Ms. Lambert responded that the application is following the typical process with respect to a final plan of condominium application.

Councillor Hutchison questioned if this property is the first in a series of developments. Ms. Lambert responded that this application relates to the first block of a six block subdivision. Mr. Park explained that each future development will require its own corporation and indicated that it is common for this style of development to occur in phases.

Councillor Chapelle indicated that he hopes to see electric charging stations incorporated into the designs of the other buildings.

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

The Chair ruled the comments provided by Mr. Dixon out of order.

Moved by Councillor Osanic
Seconded by Councillor Chapelle

That the following recommendation be approved and forwarded to Council on July 9, 2019 for consideration:

That it be recommended to Council that the application for Final Plan of Condominium (File Number D07-001-2018) submitted by 2454433 Ontario Limited, for the property municipally known as 1005-1015 Terra Verde Way, be approved; and

That final approval be subject to the Owner entering into a Condominium agreement with the City, the agreement shall provide further notice to the Condominium Corporation and present and future purchasers, of the conditions contained within the registered Site Plan Control agreement and that the Condominium Corporation will be responsible for maintaining the approved site works and fulfilling any conditions of the agreement; and

That the Mayor and Clerk be authorized to execute the Condominium agreement, subject to the satisfaction of the Director of Legal Services; and

That 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.

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 August 1, 2019 at 6:30 p.m. at City Hall.

Adjournment

Moved by Councillor Kiley

Seconded by Councillor Hill

That the meeting of the Planning Committee adjourn at 9:57 p.m.

Carried