



**CITY OF KINGSTON
PLANNING COMMITTEE
MEETING NO. 07-2012
MINUTES**

**Thursday, April 19th, 2012, 5:00 p.m.
in the Council Chamber at City Hall**

Present:

Councillor George, Chair
Councillor Reitzel, Vice Chair
Councillor Berg (arrived at 5:17 p.m.)
Councillor Bryan Paterson
Councillor Jeff Scott

Regrets:

Councillor Dorothy Hector

Also Present:

Councillor Jim Neill
Approximately 23 members of the
public

Staff Present:

Ms. Jannette Amini, Committee Clerk
Mr. Grant Bain, Director of Planning
Mr. Jason Budd, Senior Planner
Ms. Wendy Carman, Senior Planner
Mr. Gerard Hunt, CAO
Ms. Cherie Mills, Manager, Policy Planning
Ms. Susan Powley, Committee Clerk
Ms. Marnie Venditti, Manager, Development
Approvals

THIS IS NOT A VERBATIM REPORT

The Chair called the regular meeting portion of the agenda to order at 5:00 p.m. Following the presentation and comments, the public meeting portion of the agenda was called to order at 6:30 p.m.

INTRODUCTION BY COMMITTEE CHAIR

Councillor George, Chair, explained the purpose of the meeting and read the rights and obligations afforded to the Committee members and members of the public for the public meetings. He outlined the requirements under the *Planning Act* associated with the Notice of Passing in these matters and the right to an appeal process to the Ontario Municipal Board.

**PUBLIC MEETING
HELD PURSUANT TO THE PLANNING ACT
6:30 p.m.
APPLICATION FOR OFFICIAL PLAN AMENDMENT,
ZONING BY-LAW AMENDMENT AND SITE PLAN CONTROL**

The following is a report to provide information for Official Plan Amendment, Zoning By-Law Amendment and Site Plan Control for the property municipally known as 351 Select Drive.

The subject property is being developed by Braebury Development Corporation and is developed with an existing commercial building within a commercial area on the south side of Princess Street. The applicant is requesting permission to introduce a self-storage use on the subject property. The proposed development will be accessed from Princess Street, an arterial road and Select Drive, a local road.

**File No. D09-066-2012, D14-237-2012, D11-374-2012
Official Plan Amendment, Zoning By-law Amendment
and Site Plan Control
351 Select Drive**

**Applicant – Braebury Development Corporation
Agent – Braebury Development Corporation**

**(See Report PC-12-034)
(Schedule Pages 1-37)**

Mr. Budd, Senior Planner, noted 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, prepaid first class mail was sent to all 72 property owners (according to the latest Assessment Rolls) within 120 metres (400 ft.) of the subject property and a courtesy notice was placed in The Kingston Whig-Standard. If the application is approved, a Notice of Passing will be circulated in accordance with the provisions of the *Planning Act*.

Mr. Jeff Allen of Apple Self Storage provided a powerpoint presentation in regard to the proposed storage building. Copies of images of the existing and proposed buildings were distributed.

Mr. Budd noted that a letter of enquiry received later in the day was not included on the addendum.

Councillor Paterson acknowledged the addition of this building on Princess Street, and the challenge of the set back from the street. To a question regarding the construction

of additional buildings on either side of the main building, Mr. Allen referenced a description on page 3.

To questions by Councillor Scott, Mr. Allen confirmed that this is a fully serviced site with a commercial use. Councillor Scott noted that the City has provided services for commercial use; however, storage units do not require these services, and a commercial property on a 4-lane arterial road would be downgraded rather than intensified. He upheld the use of the building rather than having it remain empty, but asked for an assurance that an intensified commercial application would be allowed in time. Mr. Allen advised that a higher use zoning is written into the proposal. He noted that while it may reduce capacity for this site, it increases abilities for other areas along Princess Street and noted that it will work well beside the 35 unit condominium.

There were no comments from the public.

The public meeting concluded at 6:51 p.m.

**PUBLIC MEETING
HELD PURSUANT TO THE PLANNING ACT
6:30 p.m.
APPLICATION FOR OFFICIAL PLAN AMENDMENT,
ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION**

The following is a report to provide information for Official Plan Amendment, Zoning By-Law Amendment and Draft Plan of Subdivision for the property municipally known as 2611 Isle of Man Road.

The applicant is requesting permission to develop a 31 estate residential lot subdivision including 2 public roads and 1 open space block. The proposed development will be accessed from 2611 Isle of Man Road, a local road.

**File No. D09-064-2012, D14-235-2012 & D12-067-2012
Official Plan Amendment, Zoning By-Law Amendment and
Draft Plan of Subdivision
2611 Isle of Man Road
Applicant – 0862506 B.C. Ltd.
Agent – IBI Group**

**(See Report PC-12-027)
(Schedule Pages 38-87)**

Mr. Budd, Senior Planner, noted 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, prepaid first class mail was sent to all 72 property owners (according to the latest Assessment Rolls) within 120 metres (400 ft.) of the subject property and a courtesy notice was placed in The Kingston Whig-Standard. If the application is approved, a Notice of Passing will be circulated in accordance with the provisions of the *Planning Act*.

Mr. John Uliana, IBI Group, was present together with Ms. Mary Alice Snetsinger, Ecological Services, to provide a powerpoint presentation in regard to the proposal.

To questions by Councillor Scott, Mr. Uliana noted the farmstead where land had been farmed for many years and advised that approximately 70% of the site is classed at Class 7 agricultural capability, and 30% of the site is Class 3. Generally soil is shallow which limits the nature of crops. To concerns regarding limitations of tile beds and wells, Mr. Uliana said that a hydro geological terrain analysis has been carried out with 5 test wells drilled. The site will sustain development, meets health parameters, wells drilled into the rock produce hard water can be accommodated by water softeners, and sodium content will be reported to the Kingston, Frontenac, Lennox & Addington Health Unit.

To concerns by Councillor Scott regarding possible difficulties getting enough well water, constructing septic systems with such shallow soil, and possible leachate into the Rideau Canal, Mr. Uliana referred to the terrain analysis within the report which deals with the nature of soils and systems. The conclusion is that each lot is capable of carrying a Class 4 system as required by the Ontario Building Code. A 40 metre setback from the canal will provide a filtering system and there is adequate space on the lot for any malfunction of a system. Mr. Uliana summarized that it has been determined that the site is capable of sustaining the development.

Councillor Scott raised concerns by a constituent regarding possible damage to the aquifer and algae along the canal. He noted that source water protections are underway. Results of this report and the Rideau Canal Landscape Strategy haven't yet been received which should be available before moving forward. Mr. Uliana said that the algae along the canal is due to past development practices. Lot sizes are changing, and with technological improvements, better options for systems are available. In the absence of the completion of studies, a 30 metre setback from the high water mark is required as a minimum, and a further setback of 40 metres is being suggested. Replantings of this portion of the canal will maintain a treed natural appearance. While this site is on a bay off to the side of the canal, these development standards are being applied so the tree line will be visible rather than the houses behind. To a concern regarding a boat launch on the canal, Mr. Uliana explained that the current zoning allows a boat house and dock to be built on the shoreline. This same concern has been raised by the IBI environmental group, and from a planning and environmental perspective no boathouses and docks will be permitted for these lots.

Councillor Scott noted estate housing which was identified for Eden Valley but which resulted in ranch style housing. He noted the requirement for estate housing which is a minimum of 1400 square feet. Councillor George noted new policy which disallows housing which deals with classes of individuals. Mr. Uliana added that one storey bungalow minimums are 1500 square feet, and greater for a 2-storey house. He said that those who pay premium prices for a lot on the water generally built a house that complements that lot. Mr. Budd advised that the application is still under review. It will be reviewed against the Provincial Policy Statement and Official Plan policies as well as additional information received from the agent which will include a planning rational. Ms. Venditti added that the Provincial Policy Statement directs growth to areas in the urban boundary, and read the list of criteria in the Official Plan. Information will be provided to the Committee when the various studies are reviewed in relation to this subdivision. To a concern regarding wording in the Official Plan which uses wording 'to discourage', Mr. Uliana indicated that discouragement is not prohibition, that various tests are indicated which, once met, allow consideration of a decision. He noted that this property is a waterfront property.

To a question by Councillor Paterson regarding limitations of scale for 31 residential lots, Mr. Uliana explained that based on work done in other communities, application needs to be made to the Ministry of Municipal Affairs regarding their limitations. This

particular with 30 lots fits the criteria cut off for limited development as defined by the Ministry of Municipal Affairs. In regard to a question about the quality of the Isle of Man road, Mr. Uliana said the road is maintained year round and has a weight limit for a period which is not unusual. The status of all roads within the subdivision will be up to the developer.

Councillor Berg upheld the proposed 40 metre set back from the water, and enquired regarding provisions beyond the scope of having a boat house at the water. Mr. Uliana said that from a zoning standpoint, the requirement also includes decks and garages. Areas not presently vegetated should be. An owners manual by Ms. Mary Alice Snetsinger explains requirements such as this to owners will be a condition. Councillor George noted that conditions such as this may be applied farther along the process.

Councillor George invited comments from the public, and noted that the applicant will have an opportunity to address any questions from the public.

Ms. Gail Gibson, 2738 Isle of Man Road

Ms. Gibson noted correspondence she has received from the Cataraqui Conservation Authority (CRCA). Follow up indicates that an amendment to estate residential zoning has not been agreed to by the CRCA. She also expressed concerns regarding wells, road widening as the present road doesn't accommodate two cars easily, bobolinks who build their nests on the ground and could be affected by the construction prior to their August migration, the effect of property values and taxes on the properties already there, removal of culverts which could affect flooding, the number of dump truck loads to put up 31 houses on a road with a 5-ton limit while noting one of the main roads is opposite their driveway, and blasting for wells which could upset the water table and impact the wells already in the area.

Mr. Bill Pearce, 2517 Highway 15

Mr. Pearce advised that he lives across from the subdivisions. Test wells were done and his well was also checked. He expressed concern regarding an accurate measurement as two veins intersect at that point and he gets 30 gallons per minute. Many of the wells in the area are dug wells. He suggested that test wells should be drilled on different properties down the Isle of Man Road or further up Highway 15. Septic systems would be on a granite base and on Class 7 lands where there is minimal soil cover where mounds would be required for the systems. Mr. Pearce questioned the capacity of the Isle of Man Road noting a further proposed development for 12-14 houses which would also affect traffic. The road would need to be improved in order for cars to pass each other. He asked about other development, noting that there is property behind on the south side. He queried the actual size of the parkland which is shown as a shaded portion on the mapping. Mr. Pearce asked how people who live on the Isle of Man Road would access the water and if a boat ramp would be installed. He noted the minimum house size indicated, and asked regarding the maximum size.

Mr. David Cowan, 2377 Dusty Lane

Mr. Cowan said he lives down the Isle of Man Road beyond the red barn. Estimating that 31 estate homes would have 1.5 cars each, there is a possibility of 55 cars per day going in and out as well as dump trucks on a dead end road with an access on Highway 15. In addition there is a proposal for a development of 12 more lots. He noted the need for snowploughs, fuel trucks and a subsequent safety factor for traffic which could necessitate a traffic light with turn lanes in and out of the subdivision. He asked if the City would be looking at the costs for these concerns as well as two roads off the Isle of Man Road.

Councillor Neill affirmed the suggestion of an owners manual, and asked if restrictions regarding the usage of waterfront would also be written into the conditions for the property. He asked if a new owner would be made aware of these upon transference of a property, and if the developer could be requested to institute a public boat launch at the direction of the City through the site plan or a zoning application.

To a question of the public regarding any analysis of the soil at the farm house for hydraulic fluid and subsequent clean up, Mr. Uliana said that some issues have been identified during Phase 1 and a report has been submitted to the City. In response to other questions raised, a second phase would be the actual clean up so the area is acceptable for residential use. Boat houses and docks could be addressed by the City when the lands are turned over to them. Mr. Uliana further clarified that all wells will be drilled and not blasted, and all drawings would need to be approved incumbent on the CRCA in regard to road access and culverts. From a planning standpoint, the development is compatible; property values are not a planning matter but given the nature of the development, the proposal could be an asset rather than a liability.

Ms. Mary Alice Snetsinger provided further information regarding the manual, noting the firm has prepared a number of these to assist owners in their understanding. She upheld Mr. Uliana's remarks regarding disallowing docks on the narrow bay with a wetland as they would impact the environment. A threatened species of turtles have been observed there. A bobolink survey was conducted in 2010 and 2011 during the June to August timeframe when they were nesting; there is no strategy for them presently, and contact should be made with Ministry of Natural Resources to determine if the number of birds there is significant. She advised that historically, Ontario didn't have any grasslands, but when the forests were cleared, an artificial habitat was created. The process that the Ministry of Natural Resources will use for a recovery strategy isn't known at this time. Ms. Snetsinger said that the agricultural community would be most impacted as three crops are taken off the land. Farmers are putting in soybeans which will cause the birds to shift to different land. She noted that barn swallows and eastern meadowlarks have also been listed since beginning the work, and details will be discussed with Ministry of Natural Resources. More research will be conducted this year in regard to the bobolinks.

Mr. Uliana noted a question regarding environmental design, and that the Official Plan mapping shown was a general view.

The public meeting concluded at 8:10 p.m.

**PUBLIC MEETING
HELD PURSUANT TO THE PLANNING ACT
6:30 p.m.
APPLICATION FOR
ZONING BY-LAW AMENDMENT**

The following is a report to provide information for a Zoning By-Law Amendment for the property municipally known as 363, 365 & 367 Johnson Street.

The applicant is requesting permission to apply a special site specific zone to permit the construction of a three storey, six unit dwelling consisting of 15 bedrooms at 363-365 Johnson Street and the construction of a three storey, 4 unit dwelling consisting of 17 bedrooms at 367 Johnson Street, as well as requesting permission to reduce the total number of required parking spaces from 10 parking spaces to 6 parking spaces, reduce required amenity space and eliminate required play space.

**File No. D14-238-2012
Zoning By-Law Amendment
363, 365 & 367 Johnson Street
Applicant – Highpoint Developments Inc.
Agent – FoTenn Consultants**

**(See Report PC-12-035)
(Schedule Pages 88-134)**

Mr. Budd, Senior Planner, noted 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, prepaid first class mail was sent to all 72 property owners (according to the latest Assessment Rolls) within 120 metres (400 ft.) of the subject property and a courtesy notice was placed in The Kingston Whig-Standard. If the application is approved, a Notice of Passing will be circulated in accordance with the provisions of the *Planning Act*.

Mr. John Henderson, FoTenn Consultants provided a powerpoint presentation in regard to the proposal.

Councillor George invited comments from the Committee.

Councillor Paterson requested clarification regarding the rationale for a reduction in amenity space and prospective tenants. Mr. Henderson responded that the amenity space proposed is appropriate in size and arrangement keeping a balance between what is functional and what could be problematic. He noted the context for the building

in a student neighbourhood for which this type of housing appropriately meets their requirements. A variety of household sizes are proposed, and the amenity sizes accommodate the proposed units rather than additional numbers of people.

To questions by Councillor Scott, Mr. Henderson responded that the properties will be separate with a right of way between which will serve as a shared driveway to access rear parking. An easement will be registered on title. To an observation by Councillor Scott regarding a parking diagram indicating 6 spaces, Mr. Henderson advised that radii requirements have been received from the Planning Department which will be confirmed with additional drawings. Councillor George noted that the site plan application is forthcoming.

Councillor George invited comments from the public.

Mr. Ken Ohtake, 216 Union Street

Mr. Ohtake suggested that different standards may need to apply in different areas of the City. He noted that this area is identified as a student ghetto, and standards may be different than other areas. He expressed concern for the location of a large front porch on the main level and a balcony on the second level, both of which face Johnson Street and which could become an unsightly storage area for garbage bins and blue bins, as well as providing opportunity for a stage like other properties in the area. He noted other areas in the student ghetto where space could be more intensely used, and suggested that the Planning Committee redesignate those areas. He suggested that the exceptions requested might be applied to planning in that area of the City.

Councillor Neill noted that the developer presented the rationale for this proposal to the Sydenham Ward Tenants and Ratepayers Association and the Williamsville Residents Association where the rationale was presented. Both organizations are active, and no letters have been received. He also noted there were few public in attendance at this meeting regarding a student development. He advised of concerns regarding amenity space, and suggested that consideration could be given to a different definition of amenity. Although zoning isn't developed by class of tenancy, this has been a residential area for students. Councillor Neill expressed concern that a reduction in amenity space may set a precedent for dwellings not located in a student population area. He upheld a proposal for improved student housing.

Ms. Helen Finley

Ms. Finley advised that having been invited to a neighbourhood meeting was a helpful part of the process. She noted: the 2 ½ storey brick buildings were an appropriate reference to relate the design to; the location on arterial routes is appropriate for students and relieves the pressure on smaller streets that are more for families; discussion regarding the amenity space is a new discussion; bedrooms are noted with no reference to dens or studies. She advised that the overall design is pleasing without

much asphalt. Ms. Finley requested that the unusual older frame building, a pair of workers cottages, be well documented by the City prior to removal.

Mr. Bonazza, 312 Collingwood Street

Mr. Bonazza expressed concern regarding large reductions for amenity space and a play area justified on page 7 due to adjacent parkland. He said a development shouldn't consider public space in order to relieve their obligations to provide appropriate amenities, and the proposal should be redesigned.

Mr. Henderson responded to the public comments, noting the challenge in meeting all of the requirements which would mean a reduction in living space and subsequent low density on the block. He noted that amenity space in the City of Ottawa is 6 square meters per unit. The overuse of parks in the area is not an issue as City Park and Victoria Park use is not near capacity and more use would be advantageous.

Mr. Henderson advised that he has spoken with Ms. Michaela Hughes, designer of the project in regard to the porch on the front of 363 and 365 Johnson Street. He recognized there are challenges regarding what is placed there; roll in containers will be provided for use. He noted the discussion regarding amenities, and advised that details regarding amenities will be available at the site plan stage. In regard to setting a precedent for reductions, he suggested that each application should be considered on its own merit until more detailed requirements are addressed.

Ms. Venditti noted that the only policy is the existing zoning by-law. Numerous applications are filed in regard to the amount of on site amenity space. She suggested that in regard to precedent, they will examine past applications. She emphasized the need to address this matter in a consistent manner.

The public meeting concluded at 8:47 p.m.

**PUBLIC MEETING
HELD PURSUANT TO THE PLANNING ACT
6:30 p.m.
APPLICATION FOR
ZONING BY-LAW AMENDMENT
AND AMENDING CONDOMINIUM AGREEMENT**

The following is a report to provide information for a Zoning By-Law Amendment and Amending Condominium Agreement for the property municipally known as 358 Queen Mary Road.

The subject property is an existing multiple family residential apartment building consisting of 81 legally established residential units and 6 illegal residential units located in the cellar of the apartment building. The applicant is requesting permission to recognize the 6 illegal units and amend the Zone to permit the units, increase maximum density and permitting the dwelling units in a cellar. The proposed development will be accessed from Queen Mary Road, a local road on the north of Bath Road.

**File No. D14-233-2012 & D07-015-2012
Zoning By-Law Amendment & Amending Condominium Agreement
358 Queen Mary Road
Applicant – 358 Queen Mary Inc. & FCC #12
Agent – Cunningham Swan Carty Little & Bonham LLP**

**(See Report PC-12-036)
(Schedule Pages 135-149)**

Mr. Budd, Senior Planner, noted 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, prepaid first class mail was sent to all 72 property owners (according to the latest Assessment Rolls) within 120 metres (400 ft.) of the subject property and a courtesy notice was placed in The Kingston Whig-Standard. If the application is approved, a Notice of Passing will be circulated in accordance with the provisions of the Planning Act.

Mr. Bob Tchaegus provided an overview of the proposal.

To a question by Councillor Scott regarding cellar units, Mr. Tcheagus identified the units in the 30 year old building, and clarified that a reserve fund was established at the beginning of the process. A basement would be on one side and a cellar on the other;

however approvals are pending to determine if the definition of basement can be met. He advised that the Fire Department has provided an approval.

Councillor Neill advised that many of these conversions have taken place in his district.

Mr. Tchaegus advised that the units will be brought up to a standard to meet Ontario Building Code and Fire Code requirements.

There were no comments by the public.

The public meeting concluded at 9:07 p.m.

Regular Planning Committee Meeting No. 07-2012

MEETING TO ORDER

Councillor George, Chair, called the meeting to order at 5:07 p.m.

APPROVAL OF THE AGENDA

Moved by Councillor Paterson
Seconded by Councillor Reitzel

THAT the agenda and addendum be approved.

CARRIED

CONFIRMATION OF MINUTES

Moved by Councillor Reitzel
Seconded by Councillor Scott

THAT the minutes of the Planning Committee Meeting No. 06-2012 held March 29th, 2012 be approved.

CARRIED

DISCLOSURE OF PECUNIARY INTEREST

Councillor George declared a possible pecuniary interest in the matter of File No. D14-222-2011, Zoning By-Law Amendment 1264 Channelview Road as he has been approached by the applicants agent to provide survey services.

DELEGATIONS

BRIEFINGS

- i. MMM Group Consulting Team will address the Committee regarding the Zoning Issues and Strategy Study from 5:00 p.m. to 6:30 p.m.

Moved by Councillor Reitzel
Seconded by Councillor Paterson

THAT the Planning Committee waive the rules of By-Law No. 2010-1 "Council Procedural By-Law", in order to allow a briefing regarding the Zoning Issues and Strategy Study from 5:00 p.m. to 6:30 p.m.

CARRIED

Mr. Chris Tyrell, MMM Group Consulting Team, provided an overview of the study through a powerpoint presentation. Mr. Greg Bender, also with the consulting team, was also in attendance.

Councillor Scott provided comments regarding moving toward a simple rather than complex document. Queries included A1 and A2 zones, flood plane elevations and verifications, zoning for rural residential properties following severance, setbacks established for areas that can't be developed, amenity space size and dimensions. Mr. Tyrell confirmed that these queries would be addressed in moving forward.

Councillor Reitzell noted a variety of zoning in the Pittsburgh District, and asked how many public open houses are being planned and their location. Mr. Tyrell said that three meetings will be held for each phase of the study. Ms. Mills advised that the locations for the second and third public meetings haven't yet been determined. The Invista Centre has been identified as a location in both the urban and rural areas. Councillor Reitzell suggested that one meeting be held at Lasalle High School, and a third meeting in a central location in the City.

To a question by Councillor Reitzel regarding the treatment of Heritage areas within the scope of the zoning by-law, Mr. Tyrell noted that Heritage Conservation Districts, and Listed and Designated properties are under the jurisdiction of the Ontario Heritage Act; the Zoning By-law will be implemented under the Planning Act. They will ensure that permits required for Heritage properties will be coordinated with land use regulations in the Zoning By-law. He noted there will be special areas that will require specific attention within the Zoning By-law. He further noted current policy within the Official Plan regarding adjacency matters.

Mr. Tyrell responded to queries by Councillor Reitzell regarding the process for changing a property from a single dwelling to multi-use, movement of the urban boundary, the Cataraqui River corridor, estate lots, and sustainability. Mr. Tyrell said that intensification will be addressed in the zoning by-law specific to the City following their analysis. The Official Plan is generally reviewed every 5 years, and the urban boundary could be adjusted through that process. He clarified that zoning entitlement in comparison with existing use will be reviewed; some direction is provided in the Official Plan. Addressing Federal considerations for the Cataraqui River corridor will be further considered, as will Estate lots. Direction is provided in the Official Plan regarding appropriate sustainable development.

Councillor Paterson concurred with Councillor Scott regarding simplification of this by-law. To a question regarding the trade offs in going from one by-law to three as well as formats and structures for the by-law, Mr. Tyrell explained that there is a dimension of simplicity and ease of administration in using one document. The challenge for the City is its diversity; various zones, standards and provisions would be required to adequately address this. He noted the possibility of one by-law for the rural area with different definitions and general provisions. Urban matters would be considered differently which

means using multiple documents, adding an element of confusion. He explained the variety of circumstances in an urban area and the challenges presented. As a downtown evolves over time, it is important that it be handled a certain way. He noted that a downtown harbor by-law already exists which could be carried forward. He summarized that the challenge would be a balance of the needs of different environments versus the simplicity and user friendliness of having one source document, albeit a large and complicated document. A number of zoning approaches are used widely in the province and are generally accepted under the Planning Act in Ontario. The question would be what structure and formats would be most suitable for this City. This would need to be identified in the strategy study and brought back to the Committee.

To a question by Councillor Patterson regarding commercial uses in business parks, Mr. Tyrell explained that the Official Plan provides clear direction regarding land use permissions in business parks, and gives clear guidance to what the zoning by-law needs to say. This guidance will be modeled into zoning provisions as a first step. He noted that more work will be done and advice will be provided at a future date. In regard to a process for rationalization of the by-law, Mr. Tyrell advised that a simple approach is being taken. A comparison will be made of different standards that exist to note consistencies and rules will be developed for a strategy. He said that staff have divided the project into two phases. The Official Plan and Urban Design Strategy will provide direction.

Councillor Berg expressed appreciation for the presentation.

Councillor Scott upheld the concept of a different zoning by-law for the rural area. He suggested more rationalization for setbacks in the agricultural area, allowances for secondary suites in the rural area, and mixed uses for commercial properties while noting that there would be more complicated zoning for these properties.

Councillor Reitzel asked if testing would occur to ensure that what is implemented within the zoning by-law is workable. Mr. Tyrell said that simple 3-dimensional sketches will assist in communicating the information.

Councillor George asked Councillor Reitzel to assume the Chair.

Councillor George noted that he and Councillor Paterson sit on the Mayors Task Force for Development, and noted that the City of Hamilton with three by-laws, has been used as a comparator. To an enquiry regarding other Ontario comparators, Mr. Tyrell responded that they would look into this. To a question regarding a simplified by-law indicating that the City is more open for business, Mr. Tyrell noted there are numerous benefits to a simplified by-law including accessibility, increased understanding by the public, ease of administration and an understanding from developers that inherent complexity is being managed in a way that is easy to understand and work with.

Councillor George resumed the Chair and invited comments.

To a question by Mr. Hunt regarding the nature of the work, timeframe, and process, Mr. Tyrell said that Phase 1 will be delivered by the end of 2012. The timing for Phase 2 will be dependent on the blueprint of the zoning by-law. An appeal period will follow approval by Council before the by-law comes into force and effect.

Councillor George thanked the consultants for attending.

BUSINESS

- i. **COMPREHENSIVE REPORT**
Application for Zoning By-Law Amendment
David V. Craig
1264 Channelview Road
File No. D14-222-2011

The Report of the Commissioner of Sustainability and Growth (PC-12-033) was attached to the agenda as pages 150-174.

Councillor George declared a possible pecuniary interest and abstained from the discussion.

Councillor Reitzel assumed the Chair.

Ms. Venditti noted correspondence attached to the report to include a letter of objection submitted for the public hearing together with an updated letter retracting the objection to the zoning amendment.

Moved by Councillor Paterson
Seconded by Councillor Berg

THAT it be recommended to Council that the application for Zoning By-Law Amendment (Our File No. D14-222-2011) submitted by David V. Craig, for the property located at 1264 Channelview Road), **BE APPROVED**; and,

THAT the Township of Pittsburgh Zoning By-Law No. 32-74, as amended, be further amended as follows:

1. That Zoning Schedule "A", Map 2 of Zoning By-Law No. 32-74, as amended, is hereby further amended by changing the zone symbol to 'ER-10' and ER-11' of the lands shown as "Subject Lands Rezoned from A1 to ER-10 and ER-11" on Schedule "A" attached hereto and forming part of amending By-Law No. 2012-__.
2. That the following be added as Section 7(3)(j) of the By-Law:

"7(3)(j) **1264 Channelview Road**

Notwithstanding any provisions of Section 5 and 7 hereof to the contrary, on the lands zoned 'ER-10' on Schedule "A" attached hereto, the following provisions shall apply:

- a) PERMITTED USE: detached single family dwelling house
- b) MAXIMUM NUMBER OF DWELLINGS PER LOT: 1
- c) LOT FRONTAGE (minimum): 19.2 metres
- d) WATER SETBACK:
 - (i) The required setback for all buildings or structures is 75 metres from the high water mark or 15 metres from the regulatory flood plain elevation of 76.3m GSC, whichever is the greater
 - (ii) The required setback for septic systems is 45 metres from the high water mark or 15 metres from the regulatory flood plain elevation of 76.3m GSC, whichever is the greater
 - (iii) The natural vegetation within 30 metres of the shoreline of the St. Lawrence River must be maintained in order to dissipate waves, filter runoff, prevent soil erosion and provide wildlife habitat. Selective trimming or removal of vegetation and creation of a walking path (not hardened or paved) to the shoreline would be acceptable in this area.
- e) REAR YARD DEPTH (minimum): 6.0 metres"

3. That the following be added as Section 7(3)(k) of the By-Law:

"7(3)(k) **1264 Channelview Road**

Notwithstanding any provisions of Section 5 and 7 hereof to the contrary, on the lands zoned 'ER-11' on Schedule "A" attached hereto, the following provisions shall apply:

- a) PERMITTED USE: detached single family dwelling house
- b) MAXIMUM NUMBER OF DWELLINGS PER LOT: 1
- c) LOT FRONTAGE (minimum): 19.2 metres
- d) WATER SETBACK:
 - (i) The required setback for all buildings or structures is 75 metres from the high water mark or 15 metres from the regulatory flood plain elevation of 76.3m GSC, whichever is the greater
 - (ii) The required setback for septic systems is 45 metres from the high water mark or 15 metres from the regulatory flood plain elevation of 76.3m GSC, whichever is the greater
 - (iii) The natural vegetation within 30 metres of the shoreline of the St. Lawrence River must be maintained in order to dissipate waves, filter runoff, prevent soil erosion and

provide wildlife habitat. Selective trimming or removal of vegetation and creation of a walking path (not hardened or paved) to the shoreline would be acceptable in this area”; and,

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

CARRIED

Councillor George returned to the discussion.

MOTIONS
NOTICES OF MOTION
OTHER BUSINESS
CORRESPONDENCE

DATE OF NEXT MEETING

The following schedule of meetings has been established for 2012 with meetings to be held in the Council Chamber to begin at 6:30 p.m. Meetings are scheduled to be held on the first and third Thursdays of each month, with the exceptions of the July, August and December meetings when one meeting is scheduled to be held on the first Thursday of the month.

<ul style="list-style-type: none">· 03 May· 17 May· 07 June· 21 June· 05 July· 02 August· 06 September	<ul style="list-style-type: none">· 20 September· 04 October· 18 October· 01 November· 15 November· 06 December
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Any updates regarding the location, date and time will be noted on each meeting agenda and on the City meeting calendar at: <http://www.cityofkingston.ca/calendar/meetings/all/>.

Councillor Berg noted the Affordable Housing Symposium which will be held May 17th & 18th with keynote speaker Avi Friedman. The May 17th date would conflict with the Planning meeting schedule, and she would be attending the symposium on May 17th. She asked if the Planning meeting could be postponed to allow attendance by members.

Ms. Venditti advised that staff would verify if there were any public notices in place for that meeting.

ADJOURNMENT

The regular meeting adjourned at 6:24 p.m. Following a short break, the scheduled public meetings were held.

