



**City Of Kingston  
Planning Committee  
Meeting Number 03-2018  
Agenda  
Thursday January 18, 2018 at 6:30 p.m.  
Council Chamber, City Hall**

Please provide regrets to Derek Ochej, Committee Clerk at 613-546-4291, extension 1219 or [dochej@cityofkingston.ca](mailto:dochej@cityofkingston.ca)

**Committee Composition**

Councillor Neill; Chair

Councillor M<sup>c</sup>Laren

Councillor Oosterhof

Councillor Osanic

Councillor Turner

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Thursday January 18, 2018 at 6:30 p.m., Council Chamber, City Hall

**Public Meeting Introduction**

**“NOTICE OF COLLECTION** – Personal information collected as a result of this public hearing and on the forms provided at the back of the room is collected under the authority of the *Planning Act* and will be used to assist in making a decision on this matter. All names, addresses, opinions and comments may be collected and may form part of the minutes which will be available to the public. Questions regarding this collection should be forwarded to the Director of Planning, Building & Licensing Services.

The purpose of public meetings is to present planning applications in a public forum as required by The Planning Act. Following presentations by the applicant, Committee members will be afforded an opportunity to ask questions for clarification or further information. The meeting will then be opened to the public for comments and questions. Interested persons are requested to give their name and address for recording in the minutes. There is also a sign in sheet for interested members of the public at the back of the room.

No decisions are made at public meetings concerning applications, unless otherwise noted. The public meeting is held to gather public opinion.

Exemption to this rule is outlined in By-Law Number 2006-75 to *Delegate Various Planning Approvals to Staff and to Adopt Certain Procedures for the Processing Of Planning Applications Subject to Delegated Authority*. Council has authorized staff to use discretion in determining if an application can be a **Combined Public Meeting/Comprehensive Report** to expedite the approval process.

Public meeting reports are provided to inform the public of all relevant information. Information gathered is then referred back to Planning, Building & Licensing Services Staff for the preparation of a comprehensive report and recommendation to Planning Committee. This means that after the meeting tonight, staff will be considering the comments made by the public in their further review of the applications.

When this review is completed, a report will be prepared making a recommendation for action to this Committee. The recommendation is typically to approve (with conditions) or to deny. This Committee then makes a recommendation on the applications to City Council. **City Council has the final say on the applications from the City’s perspective.**

Following Council decision notice will be circulated in accordance with the Planning Act, and anyone with an interest in the matter may file an appeal. Interested persons are advised that if a person or public body does not make oral submissions at a public meeting or make written submissions before the By-Law is passed, the person or public body is not entitled to appeal the decision of Council to the Ontario Municipal Board, unless, in the opinion of the Board, there are reasonable grounds to do so.

Planning Committee Meeting Number 03-2018 Agenda  
Thursday January 18, 2018 at 6:30 p.m., Council Chamber, City Hall

**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 Joseph Payne, with respect to the subject site located at 810 Middle Road. 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 create one new severed lot. The severed lot would be 1.8 hectares in area with 205 metres of frontage onto Middle Road; a new single detached house is proposed for the lands. The retained lot would be 4.5 hectares in area with 341 metres of frontage onto Middle Road; the existing two houses and barn and two accessory buildings would remain on the lands, no change in use is proposed with this application. The lands are located at the intersection of Middle Road and Highways 401 and 15. The zoning change is to recognize the deficient lot areas as per the zoning by-law requirements.

The property is subject to an application for consent to create the new lot under the *Planning Act* (File Number D10-042-2017). This consent application is dependent upon the approval of the requested zoning by-law amendment and the consent approval process.

To learn more about this application, visit the [DASH](#) page.

**File Number: D14-035-2017**  
**Address: 810 Middle Road**  
**Application Type: Zoning By-Law Amendment**  
**Owner/Applicant: Joseph Payne**  
**(See Report PC-18-013)**  
**(Schedule Pages 1 – 15)**

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**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 an application for an Official Plan & zoning by-law amendment submitted by Fotenn Consultants Inc. on behalf of Axion Development Corporation Limited, with respect to the property located at 133 Dalton Avenue. 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 lands are located within the City's Clyde Industrial Park. The subject property currently contains a one-storey industrial building on lands that are approximately 1.42 hectares in area. The site has approximately 94 metres of frontage along Dalton Avenue. The existing building has a total gross leasable area of 4,604 square metres (49,538 square feet) and is divided into seven (7) units. Three (3) of the units are leased while the remaining four (4) units are vacant. Despite concerted efforts to market the vacant 1,876 square metres (20,196 square feet), the owner has been unsuccessful in securing tenants for these units.

The majority of the subject property is designated 'General Industrial' in the Official Plan, and is within the Industrial 'M' Zone in Zoning By-Law Number 8499. The proposal for the property is to allow for a broader range of permitted uses within the existing industrial building. There will be no changes to the existing building footprint. The applicant is proposing to amend the Official Plan to introduce new uses to the site which include offices, training facilities, research and development, data processing, financial institutions, restaurants, offices, recreational uses and medical and dental uses which are permitted as primary or complementary uses in the Business Park Industrial designation. With respect to the zoning, the applicant is proposing a site specific Industrial M9 zone to reflect the uses as proposed in the Official Plan amendment.

To learn more about this application, visit the [DASH](#) page.

**File Number: D35-006-2017**  
**Address: 133 Dalton Avenue**  
**Application Type: Official Plan & Zoning By-Law Amendment**  
**Owner: Axion Development Corporation Limited**  
**Applicant: Fotenn Consultants Inc.**  
**(See Report PC-18-009)**  
**(Schedule Pages 16 – 30)**

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**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 Fotenn Consultants Inc. on behalf of Taggart (Gardiners) Corp., Tamarack (Cataraqi West) Corp., Tamarack (Cataraqi West 2) Corp. & Tamarack (Rideau) Corp., with respect to the subject sites located at 700 Gardiners Road, 965 Cataraqi Woods Drive, 1215 Woodhaven Drive, 1301 Woodhaven Drive, 1138 Highway 15 & 1232 Highway 15. The applicants' draft approved subdivisions proposed for the subject amendments consist of areas of West Village (Kingston West), Woodhaven (Kingston West) and Riverview (Kingston East). This report describes the proposed applications 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 zoning by-law amendments to Zoning By-Law Numbers 32-74 and 76-26 to amend the language of a general provision found in each of the aforementioned zoning by-laws that provides direction for a zoning interpretation of lots that more than one zone applies to. The proposed amendments will provide greater flexibility to the applicants for current and future applications for Final Plans of Subdivision. The proposed provision for each application is consistent with the corresponding zoning provision proposed in the October 2016 draft of the City's consolidated zoning by-law.

To learn more about this application, visit the [DASH](#) page.

**File Numbers: D14-039-2017 & D14-040-2017**  
**Addresses: 700 Gardiners Road, 965 Cataraqi Woods Drive, 1215**  
**Woodhaven Drive, 1301 Woodhaven Drive, 1138 Highway 15 &**  
**1232 Highway 15**  
**Application Type: Zoning By-Law Amendment**  
**Owner & Applicant: Taggart (Gardiners) Corp., Tamarack (Cataraqi West) Corp.,**  
**Tamarack (Cataraqi West 2) Corp. & Tamarack (Rideau) Corp.**  
**Co-applicant: Fotenn Consultants Inc.**  
**(See Report PC-18-015)**  
**(Schedule Pages 31 – 51)**

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## **Regular Planning Committee Meeting Number 03-2018**

### **Meeting to Order**

### **Approval of the Agenda**

### **Confirmation of Minutes**

- a) **That** the minutes of Planning Committee Meeting Number 01-2018 held Thursday December 7, 2017 be approved.
  
- b) **That** the minutes of Planning Committee Meeting Number 02-2018 held Thursday December 14, 2017 be approved.

Distributed January 12, 2018

### **Disclosure of Pecuniary Interest**

### **Delegations**

### **Briefings**

### **Business**

This portion of the meeting is open to the public. The City has initiated a new process in which members of the public will have the opportunity to speak, for up to five minutes, on comprehensive reports presented before the Planning Committee. Those wishing to provide oral comments at this meeting will be invited to do so. However, because this is not a Public Meeting pursuant to the requirements of the *Planning Act*, in order to retain appeal rights to the Ontario Municipal Board one must have provided oral comments during the Statutory Public Meeting and/or provide written comments in advance of a final decision by Council.

- a) **File Number: D14-030-2017**  
**Subject: Comprehensive Report**  
**Address: 153 and 155 Brock Street**  
**Application Type: Zoning By-Law Amendment**  
**Owner: 153 Brock Inc. and 155 Brock Inc.**  
**Applicant: Joe Ruffolo and Robert Melo**

The Report of the Commissioner of Community Services (PC-18-011) is attached.

Schedule Pages 52 – 85

To learn more about this application, visit the [DASH](#) page.

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**Recommendation:**

**That** it be recommended to Council that the application for a zoning by-law amendment (File Number D14-030-2017) submitted by Joe Ruffolo and Robert Melo, on behalf of 153 Brock Inc. and 155 Brock Inc., for the property municipally known as 153 and 155 Brock Street, be approved; 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 A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 96-259) to Report Number PC-18-011; 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.

- b) **File Number: D14-033-2017**  
**Subject: Comprehensive Report**  
**Address: C4 Zone, Princess Street Corridor, Williamsville Main Street**  
**Application Type: Zoning By-Law Amendment**  
**Owner/Applicant: City of Kingston**

The Report of the Commissioner of Community Services (PC-18-012) is attached.

Schedule Pages 86 – 104

To learn more about this application, visit the [DASH](#) page.

**Recommendation:**

**That** it be recommended to Council that the application for a zoning by-law amendment (File Number D14-033-2017) submitted by City of Kingston, for properties in the Williamsville Main Street Commercial "C4" Zone, 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 to Amend Zoning By-Law Number 8499) to Report Number PC-18-012; 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.

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**Motions**

**Notices of Motion**

**Other Business**

**Correspondence**

**Date and Time of Next Meeting**

The next meeting of the Planning Committee is scheduled for February 1, 2018 at 6:30 p.m.

**Adjournment**



### 1. Approved Site Plan Items:

D11-040-2017 – 556 Princess Street – Nathan Patry/Mark McGrath -  
 D11-052-2016 – 2394 Princess Street – Jen Swan -  
 D11-037-2017 – 60 Lappan’s Lane – Utilities Kingston -  
 D11-038-2017 – 720 Princess Street – David Kay -  
 D11-120-2015 – 540 Gardiners Road – 540 Gardiners Road Inc. -  
 D11-027-2016 – 667 Cataraqui Woods Drive – Clermont Investments Inc. -  
 D11-055-2016 – 1 Maitland Street – Robert Crothers -  
 D11-022-2016 – 409 Front Road – Utilities Kingston -  
 D11-008-2016 – 442 Dalton Avenue –Kingston Collision Centre -  
 D11-002-2017 – 74 Gore Street - Michael Preston -

### 2. Applications Appealed To Ontario Municipal Board:

D11-322-2010 – 495-513 Frontenac Street & 563-567 Princess Street  
 D09-017-2014, D14-075-2014 & D14-076-2014- PRK Developments- Princess Street and University Avenue-  
 Awaiting decision from the Board  
 D14-122-2015 – IN8 (The Capitol) Development Inc. - 223 Princess Street – Appeal Submitted to OMB – Hearing  
 begins March 26, 2018  
 D09-039-2015 & D14-146-2015 – Homestead Land Holding Limited –51-57 Queen St. & 18 Queen St. & 282  
 Ontario Street - Appeals Submitted to the OMB. 2<sup>nd</sup> Pre-Hearing Scheduled for February 2, 2018.  
 D09-005-2013 & D14-248-2013 – Homestead Land Holding Limited – 48A Point St. Mark Drive – Appeals  
 Submitted to the OMB. Pre-Hearing Scheduled for November 22, 2017. 2<sup>nd</sup> Pre-Hearing Scheduled for February 2,  
 2018.

### 3. Links to Land Use Planning Documents:

**Planning Act:** <https://www.ontario.ca/laws/statute/90p13>

**Provincial Policy Statement:** <http://www.mah.gov.on.ca/Page1485.aspx>

**City of Kingston Official Plan:** <http://www.cityofkingston.ca/business/planning-and-development/official-plan>

**City of Kingston Zoning By-Laws:** <https://www.cityofkingston.ca/business/planning-and-development/zoning>