



**City Of Kingston  
Planning Committee  
Meeting Number 14-2018  
Agenda  
Thursday July 5, 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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### 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 and Development.

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.

An exception to this rule is combined reports, which consolidates the Public Meeting & Comprehensive Reports. These applications are deemed by staff as straight forward and routine. This business practice has been in place for a number of years and is received by the applicants as efficient customer service and effective use of committee time. Please note that staff 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 and Development 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. If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Kingston to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body is not entitled to appeal the decision.

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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 IBI Group Incorporated on behalf of GP Property Management Inc. and Assunta Gerretsen, with respect to the subject site located at 797 King Street West, 9 Portsmouth Avenue and 15 Portsmouth 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 subject lands are designated 'Residential' in the Official Plan and are zoned One-Family Dwelling and Two-Family Dwelling (A5) Zone in Zoning By-Law Number 8499, as amended.

The applicant is proposing a site-specific zoning by-law amendment to permit the construction of a 12-unit, 3.5-storey stacked townhome development on the subject property, which will contain ten 3-bedroom units, and two 2-bedroom units. The subject property currently contains three single-detached dwellings which will be demolished to accommodate the proposed residential development. A parking area with 11 vehicular parking spaces and 12 bicycle parking spaces is proposed in the north interior side yard.

The zoning by-law amendment is required to permit the proposed multiple unit, townhome dwelling, as well as to permit relief from a number of performance standards such as the proposed minimum yard setbacks, minimum required lot area, minimum required parking and maximum permitted projections into yards (i.e. porches, steps and balconies).

A Site Plan Control application is also required for the proposed development, in accordance with By-Law Number 2010-217.

To learn more about this application, visit [DASH](#) and search the property address or file number.

**File Number: D14-021-2018**  
**Address: 797 King Street West, 9 Portsmouth Avenue and 15 Portsmouth Avenue**  
**Application Type: Zoning By-Law Amendment**  
**Owner: GP Property Management Inc. and Assunta Gerretsen**  
**Applicant: IBI Group Incorporated**  
**(See Report PC-18-050)**  
**(Schedule Pages 1 – 26)**

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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 City-initiated applications for Official Plan and zoning by-law amendments. The purpose of the proposed amendments is to implement Provincial legislation and policies through broadening second residential unit permissions across the City and to introduce policies that will ensure new residential units in specific areas of potential or known servicing constraint are evaluated on the basis of the City's overall ability to support such units while protecting the public interest. A second residential unit consists of a separate dwelling unit, which is accessory to a principal dwelling unit and includes a separate kitchen, washroom and living space. Second residential units can be located within a dwelling or in an accessory structure that contains a principal dwelling on the lot. This report describes the proposed City-initiated applications and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

The current Official Plan policies permit second residential units within single-detached, semi-detached, linked and row house dwellings as well as in accessory structures in all locations across the City where these housing forms are a permitted use in the zoning by-law. The policies also address other relevant considerations such as natural hazards, servicing constraints and density. The proposed Official Plan amendment is intended to clarify that second residential units within single-detached, semi-detached, linked and row house dwellings and in accessory structures are permitted in the Prime Agricultural Area, Hamlet and Rural Lands designations, as well as to include an additional policy specifying that second residential units in accessory structures cannot be severed from the lot containing the principal dwelling.

As servicing constraints are not only limited to second residential units, staff are proposing to incorporate a new policy in section 4.2 Municipal Water and Sewage to also make reference to Schedule 11-C – Servicing Constraints and require the proponent of residential units proposed through a *Planning Act* application to demonstrate protection of public health and safety and adequate water and wastewater. Furthermore, Schedule 11-C – Servicing Constraints is proposed to be amended to specifically indicate whether known or potential servicing constraint areas have been identified for the purposes of addressing sewer surcharging, combined storm and sewer systems (sewer surcharging and capacity limitations), or other factors which may encumber the City's ability to support a second residential unit or any other type of residential intensification (i.e. new unit creation) proposed through a *Planning Act* application.

The zoning by-law amendments are intended to implement the updated second residential unit policies that were included in the five-year review of the Official Plan (2017). The updated policies were intended to reduce a number of the restrictive

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policies pertaining to second residential units and to also permit second residential units within accessory structures. The zoning by-law amendment application is proposed to amend the City of Kingston Restricted Area Zoning By-Law Number 8499, Downtown and Harbour Restricted Area Zoning By-Law Number 96-259, Cataraqui North Zoning By-Law Number 97-102, Kingston Township Restricted Zoning By-Law Number 76-26 and Pittsburgh Township Restricted Area Zoning By-Law Number 32-74, to permit second residential units within single-detached, semi-detached, linked and row house dwellings and in accessory structures. Appropriate zone provisions to regulate the establishment of second residential units and a corresponding map to address servicing constraints are also being proposed in the five zoning by-laws. A Holding 'H' Symbol is proposed in specific areas of the City, as illustrated in a schedule to the amending by-laws, to ensure any proposed second residential unit can be evaluated in the context of known or potential servicing constraints; this schedule will largely replicate Schedule 11-C – Servicing Constraints to the Official Plan. The zone provisions are also proposed to prohibit a second residential unit in basements where there is known sewer surcharging, as well as to prohibit second residential units in specific servicing constraint areas due to a lack of sanitary sewer capacity.

A specific amendment to Zoning By-Law Number 8499 is also proposed to remove a current provision that prohibits the use of a cellar as a dwelling unit or as a habitation unit, with the exception of second residential units that are proposed in specifically identified servicing constraint areas.

A project webpage and survey is currently being finalized in order to inform the public of the project and to receive input on the proposed zoning and Official Plan amendments. Consultation will also be ongoing with the Province, external agencies and internal City departments. All comments received will be considered in the preparation of the final proposed amendments and the finalization of a recommendation, which will be brought forward to the Planning Committee in a future Comprehensive Report.

To learn more about this application, visit [DASH](#) and search the property address or file number.

**File Number: D35-003-2018**  
**Address: City-wide**  
**Application Type: Official Plan & Zoning By-Law Amendment**  
**Applicant: City of Kingston**  
**(See Report PC-18-051)**  
**(Schedule Pages 27 – 73)**

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**Regular Planning Committee Meeting Number 14-2018**

**Meeting to Order**

**Approval of the Agenda**

**Confirmation of Minutes**

- a) **That** the minutes of Planning Committee Meeting Number 13-2018 held Thursday June 21, 2018 be approved.

Distributed June 29, 2018

**Disclosure of Pecuniary Interest**

**Delegations**

**Briefings**

**Business**

- a) **Planning Advisory Working Group Notes**

Schedule Pages 74 – 78

**Motions**

**Notices of Motion**

**Other Business**

**Correspondence**

- a) Correspondence received from Mary Farrar, dated June 24, 2018, regarding 2 River Street and 50 Orchard Street

Schedule Pages 79 - 82

**Date and Time of Next Meeting**

The next meeting of the Planning Committee is scheduled for August 2, 2018 at 6:30 p.m.

**Adjournment**

**1. Approved Site Plan Items:**

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

D11-322-2010 – 495-513 Frontenac Street & 563-567 Princess Street

D14-122-2015 – IN8 (The Capitol) Development Inc. - 223 Princess Street – Awaiting Decision.

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. Hearing Scheduled for February 4 – 8 & 11 – 15, 2019.

D09-005-2013 & D14-248-2013 – Homestead Land Holding Limited – 48A Point St. Mark Drive – Hearing Scheduled for April 15-18 & 23-25, 2019.

D14-032-2017 – Samantha Wasserman & Jacqueline Shinfield – 268 Victoria Street – Appeal Submitted to the LPAT.

**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>

Applications Received/In Process								
#	Application Type	Applicant	Civic Address	File Numbers	Proposal	Date that Application was deemed complete	Status	Planner/Contact
1	ZBA	Jay Patry	203-205 Colborne Street.	D14-195-2010	To permit 5 existing dwelling units with a reduction in parking, amenity space and play space and an increase in maximum occupancy.	Deemed complete 29-Dec-2010	Public Meeting on Mar 1/12 2nd Public held on Meeting on Aug 29/17	Lindsay Lambert extension 2176
2	OPA & ZBA	Homestead Land Holdings	50 Newcourt Place.	D09-067-2012 & D14-248-2012	13 Storey apartment building with 99 dwelling units	Deemed complete 7-June-2012	Waiting for revised submission since Aug 17/12.	Marnie Venditti extension 3256
3	OPA/ZBA	Homestead Land Holdings Ltd.	48A Point St. Mark Drive.	D09-005-2013 & D14-012-2013	7 storey, 95 unit building	Deemed complete 4-Mar-2013	<b>LPAT Hearing scheduled for April 15-18 &amp; 23-25, 2019</b>	Lindsay Lambert extension 2176
4	ZBA	Doreta Apparel Shop Limited	394-396 Princess St. & 155 Division Street.	D14-027-2013	To permit additional storeys and additional residential units.	Deemed complete 7-May-2013	Public Meeting held on June 20/13. Application placed on hold by applicant.	Lindsay Lambert extension 2176
5	ZBA/ Draft Plan	1829871 Ontario Limited	655 Graceland Avenue.	D12-010-2013 & D14-041-2013	A proposed residential subdivision consisting of 45 single detached dwelling lots, one park block, one walkway and one storm water management pond.	Deemed complete 12-Sept-13	2nd Public Meeting held on April 6/17	Lindsay Lambert extension 2176
6	OPA/ZBA	PRK Developments	493-497 Princess Street	D09-017-2014 D14-075-2014	The applicant is proposing to demolish the existing buildings on the properties to construct a 10-storey, 190-unit apartment building with commercial uses on the ground floor. The residential dwellings along Chatham Street and at 10 Creighton Street will be maintained. The dwelling units are proposed to be a mix of bachelor, one-bedroom, two-bedroom, and three-bedroom dwelling units. The applicant is proposing 50 parking spaces on-site, 53 off-site parking spaces, and 169 bicycle parking spaces	Deemed complete 12-Mar-2014	Waiting for OMB Order	Marnie Venditti extension 3256



Applications Received/In Process								
#	Application Type	Applicant	Civic Address	File Numbers	Proposal	Date that Application was deemed complete	Status	Planner/Contact
7	ZBA	PRK Developments	460-468 & 480 Princess Street.	D14-076-2014	The applicant is proposing to demolish the existing buildings on the properties to construct a 10-storey, 222-unit apartment building with commercial uses on the ground floor. The dwelling units are proposed to be a mix of bachelor, one-bedroom, two-bedroom, and three-bedroom dwelling units. The applicant is proposing 67 parking spaces on-site, 49 off-site parking spaces, and 125 bicycle parking spaces.	Deemed complete 12-Mar-2014	Public Meeting held on May 15, 2014 Regular Meeting held on Mar 5/15 Went to Council on Mar 24/15 Under OMB Appeal	Marnie Venditti extension 3256
8	OPA/ZBA	Cruickshank Properties Corp.	Unity Road, Elginburg	D09-025-2014 D14-102-2014	OPA and ZBA to change the designation of the properties to 'Mineral Resource Area – Quarry' and Zoning By-law Amendment to rezone portions of the properties to Special Extractive Industrial 'M5' Zone and Special Open Space 'OS' Zone to permit new quarry operations at 2489-2505 Unity Road and to amend the existing 'Mineral Resource Area – Quarry' designation and the provisions of the existing Special Extractive Industrial 'M5-1' Zone in former Township of Kingston Zoning By-law Number 76-26 to reduce the setbacks for the existing quarry operation at 2357 Unity Road.	Deemed complete on January 9, 2015	2nd Public Meeting Held on June 18/15 Going to a 3rd Public Meeting on Thur Mar 22/18  Appealed to OMB	Chris Wicke extension 3242
9	OPA/ZBA	Kingston Creekford Holdings	2685 Creekford Road	D09-029-2015 D14-117-2015	To permit the development of a gas station and Business Park uses.	Deemed complete Mar 30/15	Public Meeting held on May 21/15	Lindsay Lambert extension 2176
10	ZBA	Podium Developments	235, 243 Colborne Street, 60 and 62 Elm Street	D14-114-2015	To permit the development of two multiple family dwellings, with 8 and 16 units respectively. Zoning relief is requested.	Deemed complete Mar 20/15	Public Meeting held on May 21/15	Jason Sands extension 3277

Applications Received/In Process								
#	Application Type	Applicant	Civic Address	File Numbers	Proposal	Date that Application was deemed complete	Status	Planner/Contact
11	ZBA	IN8 (The Capitol) Developments Inc.	223 Princess Street	D14-122-2015	To permit a mixed use development with 16 storeys, 212 residential units and parking in a parking structure located along Queen Street frontage, below and above grade. The proposed development includes the conservation of the Princess Street façade of the former theatre.	Deemed complete on May 26/15	<b>Awaiting Decision from LPAT</b>	Lindsay Lambert extension 2176
12	OPA/ZBA	Homestead Land Holding Limited	51-57 Queen St. & 18 Queen St. & 282 Ontario St.	D09-039-2015 D14-146-2015	Two 21 storey buildings, both with a podium and tower design, containing a total of 380 residential units, a municipal parking garage and commercial space	Deemed complete on Nov 27/15	Public Meeting held on Feb 18/16 2nd Public Meeting Non-Statutory held on Aug 3/17 <b>Appealed to the OMB</b>	Jason Sands extension 3277
13	OPA	City of Kingston	City-wide	D09-037-2015	Five Year Review of the Official Plan		Approved by the Ministry of Municipal Affairs on Aug 8/17. <b>Appealed to the OMB. Prehearing Nov 23/17</b>	Greg Newman extension 3289
14	ZBA	McIntosh Perry Consultants	3697 Hwy 2 E.	D14-015-2016	Proposed Zoning By-Law Amendment to permit 6 lots (3 existing lots, 3 new lots) serviced by private well and septic systems	Deemed complete on April 13/16	Public Meeting held on June 9/16	Sajid Sifat extension 3126
15	OPA/ZBA	Podium Developments	575-611 Princess St, 505-513 Albert St., 510 Frontenac St., 576-600 Princess St. & 465 Albert St.	D35-005-2016	11 storey mixed use (456 dwelling unit and 1,500 m2 commercial) and surface parking lot south of Princess St.		Public Meeting held on Oct 6/16 2nd Public Meeting held on Sept 7/17 Regular Meeting held on June 7/18 Going to Council on June 26/18	Jason Sands extension 3277

Applications Received/In Process								
#	Application Type	Applicant	Civic Address	File Numbers	Proposal	Date that Application was deemed complete	Status	Planner/Contact
16	ZBA	Clark Consulting Services	1821 Bur Brook Rd.	D14-037-2016			Public Meeting held on Dec 1/16 2nd Public Meeting held on Oct 5/17 Regular meeting held on June 21/18	Chris Wicke extension 3242
17	OPA/ZBA	IBI Group	5 Lower Union Street & 55 Ontario Street	D35-003-2017			Public Meeting held on Sept 21/17 <b>Appealed to LPAT.</b>	Lindsay Lambert extension 2176
18	OPA/ZBA	Louis Martin	2917 Princess Street	D35-003-2016			Public Meeting held on Sept 21/17	Lindsay Lambert extension 2176
19	ZBA	Samantha Wasserman	268 Victoria Street	D14-032-2017	The site is currently developed with a 2.5 storey, single detached dwelling and a detached garage. The overall development plan includes severing the subject property, maintaining the existing dwelling and garage on the proposed retained parcel and develop a 2.5 storey, semi-detached dwelling on the proposed severed parcel. The proposed severed parcel would front onto Earl Street and be accessed with two driveways.	Deemed complete on September 13, 2017	Public Meeting held on Nov 2/17 Regular Meeting held scheduled for March 22, 2018 <b>Went to Council on April 3/18</b> <b>Denied by Council</b> <b>Appealed to LPAT</b>	Jason Sands extension 3277
20	ZBA	All Seniors Care Living Centres	2666 Princess Street & 1027 Midland Avenue	D14-037-2017		Deemed complete on Nov 13/17	Public Meeting held on Dec 14/17 Going to Council on June 26/18	Lindsay Lambert extension 2176

Applications Received/In Process								
#	Application Type	Applicant	Civic Address	File Numbers	Proposal	Date that Application was deemed complete	Status	Planner/Contact
21	OPA/ZBA/DPS CIP Amendment	Jay Patry Enterprises	2 River Street & 50 Orchard Street	D35-009-2017 & D09-005-2018	To subdivide the subject lands and develop four (4) six-storey buildings with a total of 1509 residential units and 4,961 square metres of ground floor commercial area with a boathouse located on the water lot. The CIP Amendment is to create a special project area in the Brownfields CIP that will allow eligibility for additional financial incentives and to extend time frames to accept applications.	Deemed complete on January 22, 2018 (OPA/ZBA/DPS) and on February 5, 2018 (CIP amendment)	Public Meeting held on March 8/18	Andrea Furniss extension 3219
22	ZBA	IBI Group	190 / 198 Resource Road	D14-043-2017	ZBA to amend Zoning By-law Number 76-26 to permit the construction of 3 buildings that will accommodate a range of employment uses including business park uses and professional office space on the 1.6 hectare parcel.	Deemed complete on January 18, 2018		Jason Sands extension 3277
23	ZBA	Barriefield Limited Partnership & Fotenn Consultants Inc.	411 Wellington Street	D14-003-2018	ZBA to permit residential and accessory uses as well as to obtain relief from various zone provisions to facilitate the development of a three-storey retirement residence and stacked row dwelling houses.	Deemed complete on February 13, 2018	Public Meeting held on April 5/18	Andrea Furniss extension 3219
24	ZBA	Jordan McGregor	294 Rideau Street	D14-007-2018	ZBA to permit the creation of a new residential lot and to construct a new single-detached dwelling, with secondary suite in the basement, on both the severed and retained lots.	Deemed complete on March 5, 2018	Went to Council on June 26/18. Last day for Appeals July 19/18	Amy Didrikson extension 3288
25	ZBA	Nicholas Kyriacopoulos and FOTENN Consultants	311 Conacher Drive	D14-011-2018	ZBA to permit a reduced minimum lot area requirement for an approved draft plan of subdivision to address a rounding error.	Deemed complete on March 26, 2018	Went to Council on June 12, 2018 Last day for Appeals July 9/18	Amy Didrikson extension 3288
26	ZBA	FoTenn Consultants Inc.	434 Johnson Street	D14-008-2018			Went to Council on June 12/18 Last day for Appeals July 5/18	Tim Fisher extension 3215

Applications Received/In Process								
#	Application Type	Applicant	Civic Address	File Numbers	Proposal	Date that Application was deemed complete	Status	Planner/Contact
27	ZBA	FoTenn Consultants Inc.	355 King Street W.	D14-014-2018			Public Meeting held on June 7, 2018	Annemarie Eusebio extension 3183
28	OPA/ZBA	RAW Design Inc.	305 & 323 Rideau Street	D35-008-2017	OPA/ZBA to facilitate the redevelopment of the former Bailey Broom Factory structure and construct 9 residential townhomes on the northern vacant parcel.	Deemed complete on April 9, 2018	Public Meeting held on May 17, 2018	Jason Sands extension 3277
29	ZBA/DPS	Greg Murphy and Fotenn Consultants Inc.	800 John Marks Avenue	D35-002-2018	ZBA/DPS to create twelve lots around individual buildings forming part of a medical campus, where each lot will have frontage on a private road.	Deemed complete on May 17, 2018	Public Meeting held on June 21, 2018	Amy Didrikson extension 3288
30	ZBA	Mason Laframboise	254 Collingwood Street	D14-009-2018			Public Meeting held on June 21/18	Steve Chew extension 3273
31	ZBA	Forefront Engineering Inc.	1350 Woodfield Crescent	D14-018-2018			Public & Regular Meeting held on June 21/18	James Bar extension 3213
32	OPA/ZBA	FoTenn Consultants Inc. & IN8 (Sage Developments Inc)	652 Princess Street	D35-002-2018			Public Meeting held on June 8/17 Regular Meeting held on June 21/18	Lindsay Lambert extension 2176
33	ZBA	IBI Group	797 King Street West, and 9 & 15 Portsmouth Avenue	D14-021-2018	ZBA to permit a 12-unit, 3.5 storey stacked townhome development with 11 vehicular parking spaces.	Deemed complete on June 1, 2018	Going to Public Meeting on July 5/18	Amy Didrikson extension 3288

