

Council Meeting Number 2018-23
Addendum
Tuesday, November 6, 2018

Delegation

The consent of Council is requested for the **addition** of Delegation 1.

1. Martin Skolnick, President of Frontenac Club Inc. and Raymond Zaback, Partner, Shoalts and Zaback Architects Ltd. will appear before Council to speak to Clause 3.i. of Report 87: Received from Heritage Kingston with respect to an Application for Heritage Permit – 225 King Street East.

Report Number 89: Received from the Planning Committee

The consent of Council is requested for the **addition** of Report Number 89: Received from the Planning Committee.

1. **Approval of an Application for a Zoning By-Law Amendment – 205 Resource Road (The Corporation of the City of Kingston)**

That the application for a zoning by-law amendment (File Number D14-022-2018) submitted by 2541519 Ontario Inc., on behalf of The Corporation of the City of Kingston, for the property municipally known as 205 Resource 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-18-068; 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.

(See By-Law Number (5), 2018-171 attached to the addendum as schedule pages 1-4)

New Motion

At the request of the mover and seconder, the consent of council is requested for **the deletion** of New Motion 2 which reads as follows:

2. Moved by Councillor Neill
Seconded by Councillor Holland

Whereas residents have periodically complained about neighbouring property owners plowing or blowing snow onto their property, or similarly raking or blowing leaves, without the property owner's permission; and

Whereas currently the City of Kingston has no by-law forbidding such actions, leaving civil action with legal costs as the only remedy; and

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Whereas other municipalities have enforceable by-laws to protect property owners against such actions, and to encourage more neighbourly cooperation;

Therefore Be It Resolved That appropriate staff be instructed to review best practices in other communities and bring forward information and recommendations to the Administrative Policies Committee in Q2, 2019, so that a by-law may be drafted for Council consideration.

The consent of Council is requested for the **addition** of New Motion 2.

2. Moved by Councillor Neill
 Seconded by Councillor Holland

Whereas residents have periodically complained about other property owners plowing or blowing snow onto their neighbouring property, or similarly raking or blowing leaves onto their property without permission; and

Whereas a by-law addressing such are not currently allowable under the Ontario Municipal Act; and

Whereas other municipalities have developed as best practice Good Neighbour Guidelines to share with residents in order to address such concerns and to encourage more neighbourly cooperation;

Therefore Be It Resolved That staff be directed to review, as best practice, other municipality's guidelines and practices and bring forward information and recommendations on Good Neighbour Guidelines, as referenced above, for consideration by the Administrative Policies Committee in Q2, 2019.

Communication

The consent of Council is request for the addition of Communication 23-608.

Referred to All Members of Council

23-608 Memo from Carl Bray, Bray Heritage to Ray Zaback, SZA Architects, dated November 6, 2018 with respect to 225 King Street Renovation: Heritage Comments

(Communication is attached to the Addendum as schedule pages 5 and 6)

By-Law

The consent of Council is requested for the **addition** of By-Law Number (5).

- (5) A By-Law to Amend By-Law Number 76-26, "A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston" (Zone change from site specific BP-6 to BP-7, 205 Resource Road)

Three Readings
(See Clause 1, Report 89)

Proposed Number 2018-171

By-Law Number 2018-XX

A By-Law to Amend By-Law Number 76-26, “A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston” (Zone change from site specific BP-6 to BP-7, 205 Resource Road)

Passed: November 6, 2018

Whereas by Order of the Minister of Municipal Affairs and Housing, The Corporation of the Township of Kingston, The Corporation of the Township of Pittsburgh and The Corporation of the City of Kingston were amalgamated on January 1, 1998 to form The Corporation of the City of Kingston as the successor municipal Corporation and pursuant to the Minister’s Order, any By-Laws of the former municipality passed under the *Planning Act* continue as the By-Laws covering the area of the former municipality now forming part of the new City; and

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 76-26, as amended, of the former Township of Kingston;

Therefore be it resolved that the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 76-26 of The Corporation of the City of Kingston, entitled “A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston”, as amended, is hereby further amended as follows:
 - 1.1. Map 3 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from BP-6 to BP-7, as shown on Schedule “A” attached to and forming part of By-Law Number 2018-____.
 - 1.2. By **Adding** the following section in 30A – Exceptions To Various Zone Classifications as follows:

“30A(3)(f) **BP-7 - 205 Resource Road**

Notwithstanding the provisions of Section 5 and 30A hereof to the contrary, the lands designated ‘BP-7’ on Schedule ‘A’ hereto, the following regulations shall apply:

- I. Permitted Uses

- a. Corporate administrative office;
- b. Research and development facility carried out within enclosed buildings;
- c. Data processing and related services, include call centre;
- d. Administrative, professional, and technical services supporting a permitted use;
- e. Indoor storage of equipment;
- f. Public use in accordance with Section 5(18) of By-Law Number 76-26.

II. Permitted Complementary Uses

- a. Office and business services such as printing and equipment repair intended to serve the Business Park Industrial area;
- b. Restaurant
- c. Financial Institution
- d. Personal services and convenience commercial;
- e. Public and private parks and recreation facilities;
- f. Parking lots and structures; and
- g. Hotels

III. Minimum front yard 10 metres

IV. Minimum exterior side yard 10 metres

V. Maximum lot coverage 60%

VI. Maximum building height 20 metres

VII. Parking requirements

- a. 1 parking space for each guest room / suite, plus 0.63 parking spaces for each 4 persons that can be accommodated at any one time in any beverage room or liquor lounge, plus one bus parking space per 50 guest suites.
- b. Parking space design:
 - i. Standard parking space: 2.6 metres wide and 5.2 metres long
 - ii. Accessible Type A space: 3.4 metres wide and 5.2 metres long
 - iii. Accessible Type B space: 2.7 metres wide and 5.2 metres long
 - iv. Access aisle: 1.5 metres wide and 5.2 metres long

VIII. Landscaped Open Space

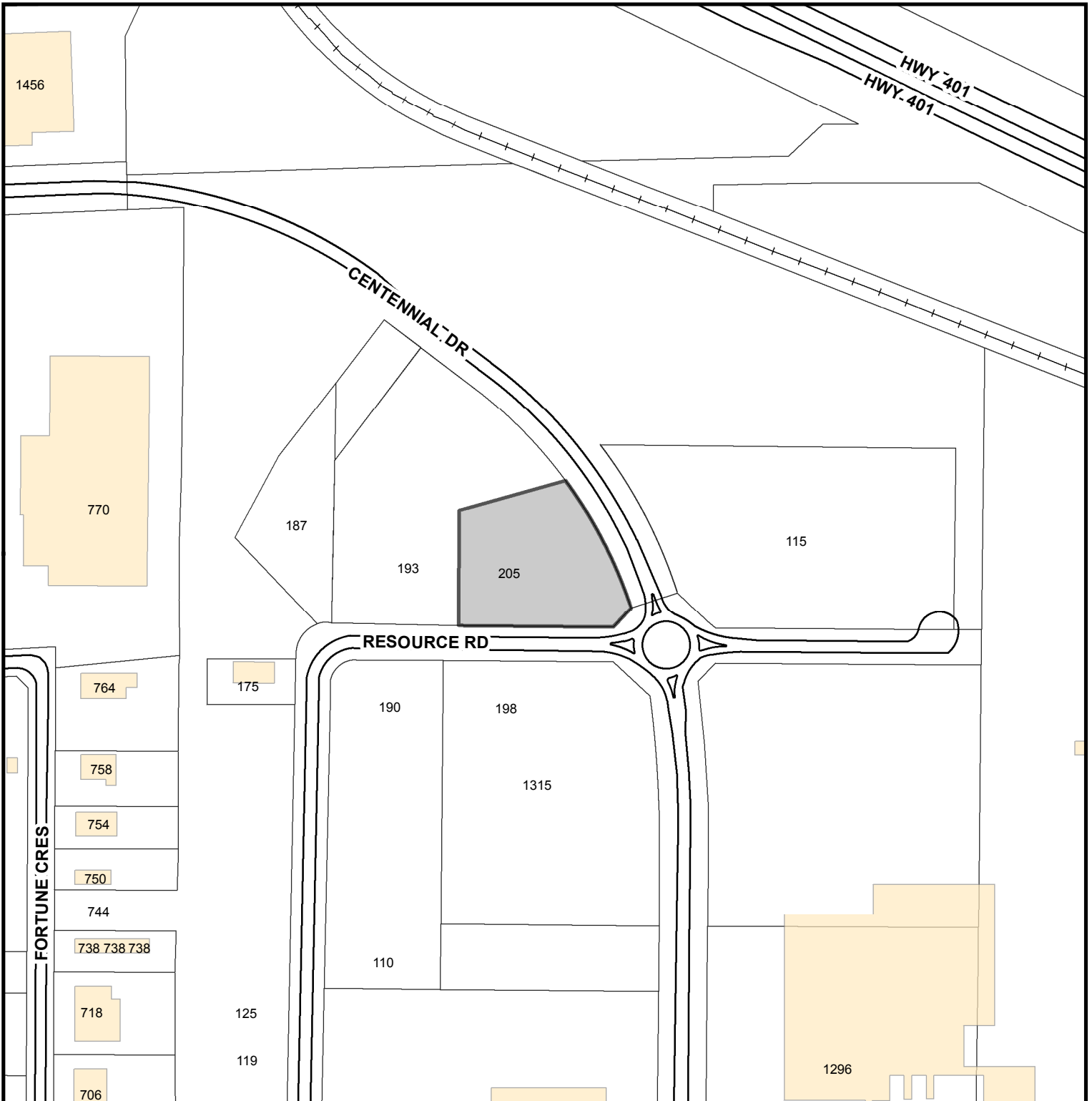
- a. Adjacent to a public street: not less than a 10 metre wide landscaped planting strip excluding the driveway;
- b. Adjacent to each interior side or rear lot line: not less than a 1.2 metre landscaped planting strip.
- c. No structures or parking will be permitted in landscaped planting area, with the exception of any required utility structures for servicing the site.

- IX. Maximum building height exceptions
- a. The height provisions of the BP-7 zone do not prevent the erection of parapets and linen chute overrun”
2. This By-Law shall come into force and take effect on the day it is passed subject to and in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13 as amended from time to time.

Given all Three Readings and Passed: November 6, 2018

John Bolognone
City Clerk

Bryan Paterson
Mayor



Planning, Building & Licensing Services


a department of
Community Services

SCHEDULE 'A' TO BY-LAW NUMBER

Applicant: 2541519 Ontario Inc.
Owner: Corporation of the City of Kingston
File Number: D14-022-2018
Address: 205 Resource Road

LEGEND

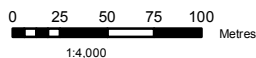
Reference By-Law 76-26, Map 3

 Rezoned from BP-6 to BP-7

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2018.

PREPARED BY: A. Dowker
DATE: 10/5/2018



Mayor

Clerk

Sargeant, Lorie

From: Bolognone, John
Sent: Tuesday, November 6, 2018 3:08 PM
To: Sargeant, Lorie
Cc: Jaynes, Janet; Hurdle, Lanie; Agnew, Paige; Newman, Greg
Subject: FW: King Street glazed addition: memo
Attachments: 00-259225kingmem6nov18.docx; ATT00001.htm

For tabling and distribution / addendum. Thnx.



John Bolognone
 City Clerk
 City Clerk's Department

City of Kingston
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 216 Ontario Street, Kingston, ON K7L 2Z3
 613 546 4291 ext. 1247
jbolognone@cityofkingston.ca



**CITY COUNCIL
 MEETING OF:**

November 6, 2018

COMMUNICATION

No: 23-608

From: Neill, Jim
Sent: Tuesday, November 06, 2018 3:01 PM
To: Mayor & Council
Subject: Fwd: King Street glazed addition: memo

Sent from my iPhone

Begin forwarded message:

From: Martin Skolnick <Martin.Skolnick@cwkingston.com>
Date: November 6, 2018 at 2:59:59 PM EST
To: "Stroud, Peter" <pstroud@cityofkingston.ca>, "Ischell@cityofkingston.ca" <Ischell@cityofkingston.ca>
Cc: "bryanjpaterson@gmail.com" <bryanjpaterson@gmail.com>, "Neill, Jim" <jneill@cityofkingston.ca>, "Ray Zaback (rzaback@szarch.com)" <rzaback@szarch.com>, "Agnew, Paige" <pagnew@cityofkingston.ca>, "Rowse-Thompson, Alex" <arowse-thompson@cityofkingston.ca>
Subject: FW: King Street glazed addition: memo

Peter and Liz,

In support of our Heritage Permit application being decided on by Council tonight we asked Carl Bray, Bray Heritage who was the lead consultant and co-author of the Old Sydenham HCD Study and Plan. Please see his attached Memo in support of our application as it specifically relates to the glazed additions and please feel free to share this email and letter with all members of Council.

Memo

To: Ray Zaback, SZA Architects, Kingston
From: Carl Bray, Bray Heritage
Date: Tuesday, November 06, 2018
RE: 225 King Street Renovation: Heritage Comments

Dear Ray,

This is in response to your request for my opinion regarding the proposed glazed additions to the existing heritage property at 225 King Street West. The property is designated under Part IV of the *Ontario Heritage Act* (By-law 8487, as amended by By-law 8892) as well as being a property included within the Old Sydenham Heritage Conservation District, designated under Section V of the *Ontario Heritage Act* (by-law 2015-67). An application for alteration has been made under Section 42 of the *Ontario Heritage Act* to seek municipal approval to undertake renovations to the property ("Frontenac Club"), including repairs, alterations and additions. City staff have supported the application. In their report to the Chair and Members of Heritage Kingston (October 17, 2108), staff recommended that Heritage Kingston support the application in order to carry out the proposed works.

Comments from two members of Heritage Kingston during the pre-consultation meeting (September 19, 2018) indicated concerns regarding the amount of glazing shown in the rear addition to the William Street side of the existing building. Staff have noted that the design of the proposed addition meets the guidelines of the Old Sydenham Heritage Conservation District Plan by being clearly distinguishable from the existing building, by having complementary materials, and by having setbacks, heights and massing that are compatible with the existing building. As for the proposed glazing, staff noted that the applicable guideline is Section 5.4.2 (Corner Lot Properties). That guideline advises that "large areas of new glazing visible to the street should only be considered at rear additions located on corner lots." Staff have responded by stating that "this proposal adheres to this guideline in so far as the addition is to the rear of, and set back from the main building and set back from William Street. The new spandrel panels also help to divide the large panel of glazing."

As the lead consultant for the Old Sydenham HCD Study and Plan, and as co-author of the policies and guidelines contained in that Plan, I support City staff's interpretation of the proposed design's response to the guideline in Section 5.4.2. The intent of that guideline was to preclude large glazed rear additions to properties that would dominate the existing building as well as the adjacent streetscape due to being visible from the flanking street. For example, a large rear wing, entirely glazed, would not meet the guideline. However, small glazed components of rear additions, though visible from the public realm, do not dominate the built heritage resource and, as a result, meet the guideline. In this case, it is my opinion that the design of the glazed component of the addition, with the dividing spandrels, is an acceptable response to the guideline.

CB