



**City Of Kingston
Planning Committee
Meeting Number 05-2019
Minutes
Thursday February 7, 2019 at 6:30 p.m.
Council Chamber, City Hall**

Committee Members Present

Councillor Neill; Chair
Councillor Hill
Councillor Hutchison
Councillor Osanic

Regrets

Councillor Chapelle
Councillor Kiley

Staff Members Present

James Bar, Senior Planner
Laura MacCormick, Deputy Director, Planning, Building & Licensing
Jason Sands, Senior Planner
James Thompson, Committee Clerk
Mary Rae, Senior Legal Counsel

Others Present

Members of the public were present

Introduction by Committee Chair

Councillor Neill, Chair, explained the purpose of the meeting and read the rights and obligations afforded to the Committee members and members of the public during public meetings.

**Public Meeting
Held Pursuant to the Planning Act
6:30 p.m.
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 317 Developments Inc., with respect to two separate sites located at 168 Division Street and 227 Brock Street. 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 property at 168 Division Street is approximately 0.12 hectares in area with approximately 11 metres of frontage on Division Street and 48 metres of frontage on Garrett Street. The site is designated 'Main Street Commercial' in the City of Kingston Official Plan and is located in a 'C' Commercial Uses zone in Zoning By-Law Number 8499, as amended, and is developed with an existing two-storey, mixed-use building with parking at grade.

The applicant intends to remove the existing mixed-use, two-storey building and rezone the lands to facilitate the redevelopment of the site with a 6-storey mixed-use building with commercial and residential uses. The building is proposed to have 272 square metres of commercial area at grade with 35 residential units with a total of 100 bedrooms dispersed between floors 2 through 6. The commercial use has frontage onto both Division Street and Garrett Street.

The proposal includes 14 on-site vehicular parking spaces and 36 bicycle parking spaces located within the enclosed building near the western side yard and rear yard. On-site parking spaces are proposed at a ratio of 0.49 parking spaces per dwelling unit and a commercial parking ratio of 1 parking space per 150 square metres of gross leasable area. Access to the site is proposed from Garrett Street via a 6.2 metre wide covered access aisle. The regulated distance to off-site parking is proposed to be increased from 60 metres to 500 metres.

The lands at 227 Brock Street are currently developed with a 3.5-storey stone residential building containing 10 dwelling units. There are currently 10 parking spaces located in the rear yard. The applicant is proposing 5 off-site parking spaces located at 227 Brock Street to support the proposal at 168 Division Street. Through this zoning by-law amendment application, the property known municipally as 227 Brock Street is to be rezoned to reduce the residential parking ratio to 0.5 spaces per dwelling unit. The lands at 227 Brock Street are designated Central Business District and zoned C1-1 in By-Law Number 96-259.

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

Councillor Neill, Chair, called the public meeting regarding an Application for Zoning By-Law Amendment – 168 Division Street and 227 Brock Street to order at 6:31 p.m.

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

For 168 Division Street, pursuant to the requirements of the *Planning Act*, a notice of the Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to all 119 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in The Kingston Whig-Standard on January 29, 2019.

For 227 Brock Street, pursuant to the requirements of the *Planning Act*, a notice of the Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to all 83 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in The Kingston Whig-Standard on January 29, 2019.

Mr. Bar informed the Committee that no correspondence has been received regarding the application.

Councillor Osanic sought further information regarding the allocation of parking spaces. The agent responded that the parking spaces located at the Division Street property would likely be allocated on a first come, first serve basis. She noted that there are two commercial parking spaces in the Division Street parking lot. She indicated that there are not any designated visitor parking spaces due to the availability of on-street parking in the area.

In response to a question from Councillor Osanic, the agent provided additional information regarding the bicycle storage system. Councillor Hutchison requested that staff ensure that the bicycle storage system is suitable for the proposed space.

Councillor Hutchison questioned if there are alternative parking options as offsite residential parking is intended to be within sixty meters of the property and noted that the proposed secondary parking lot is located 480 meters from the building. The agent

responded that the subject property is located in a walkable area which is situated nearby Queen's University as well as the hospitals and Princess Street. She stated that the parking lot located on Brock Street will likely be used by people who do not utilize their vehicle on a daily basis. She indicated that the proposal conforms with the Official Plan which defines a 'walkable distance' as 600 meters.

Councillor Hutchison referenced the architectural drawings and questioned if the buildings materials have been determined. The agent replied that the building design will be finalized during the site plan process.

Councillor Hill was of the opinion that the proposal is a great example of downtown infill. He stated that he is supportive of this style of development. He mentioned that if this property was located in Williamsville it would conform to the parking requirements. He indicated that it appears that the applicant is making an effort to address the parking situation. He commented that on some level, Council does not want people parking their cars in the downtown.

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

Councillor Neill asked staff if the proposed setbacks are pedestrian and active transportation friendly. He commented that it appears that the setback along Garrett Street is very minimal. The agent responded that additional consideration will be given to the setback along Garrett Street. She noted that the lot poses some limitations regarding the size of the setbacks.

In response to a question from Councillor Neill regarding offsite parking, Ms. MacCormick confirmed that the parking arrangements will form part of the site plan agreement which is registered on title. Mr. Bar provided clarification regarding the parking spaces associated with the building located at 227 Brock Street and noted that they have legal non-conforming status. Councillor Neill requested that staff provide additional information regarding this matter in the comprehensive report.

Councillor Neill requested that staff also address bike storage security in the comprehensive report.

Councillor Neill sought further information regarding accessible parking. The agent responded that there is an accessible parking space in each of the proposed parking lots and indicated that both spaces conform to AODA standards.

Councillor Neill questioned if it would be appropriate for the application to receive an urban design peer review. Ms. MacCormick stated that staff do not believe that a peer

review is required at this time. She commented that this matter can be reconsidered following the second circulation of technical details.

Councillor Neill resumed the role of Chair.

In response to a question from Councillor Stroud regarding parking requirements, Mr. Bar provided additional clarification regarding the number of spaces required per unit as well as commercial parking requirements. Mr. Bar spoke to page 16 of the Report.

Councillor Stroud asked staff to provide an update regarding the status of the Parking Standards Study. Ms. MacCormick responded that the study is underway. She indicated that the current parking requirements will not reflect what will be proposed in the study. She indicated that the study will recommend that parking requirements be reviewed based on the number of bedrooms rather than units. She commented that while the parking ratios have not been defined it is likely that the parking requirements will decrease from the current standards. Councillor Stroud questioned if the parking ratios will be different for various areas of Kingston. Ms. MacCormick replied that the ratios will be derived via a transit based approach to parking. She mentioned that the area in question would likely have the lowest parking ratios in Kingston. The agent noted that a parking study was completed as part of the application and reiterated the importance of walking and transit in this area.

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

Mr. Dixon, 495 Alfred Street commented that the applicant is requesting permission to construct a building which would be a third taller than what is currently permitted in the Zoning By-Law. He questioned if any heritage buildings would be demolished as part of the project. He stated that he cannot support the approval of the Zoning By-Law amendment as there are no elevators within the building. He indicated that fire escapes are not evident in the drawings. He mentioned that the property is located nearby Kingston Transit express routes. He questioned if recent infrastructure improvements allowed for this proposal to be feasible.

Mr. Donald Mitchell, 43 Gibson Avenue commented that the appearance of the building is attractive and stated that the selection of proper building materials will be important. He indicated that he is supportive of the at-grade entrance. He commented that he believes that this building would be a desirable place to live as it is located nearby many downtown amenities. He questioned if some of the units will have a reasonable level of accessibility. He spoke to the importance of accessible parking spaces being an appropriate length. He stated that it is great that the accessible parking space is located under a shelter. He indicated that overall it appears that the proposal is very attractive.

The agent informed the Committee that the design includes two elevators. She provided further information regarding the lobby and entrance. She commented that staff indicated that the proposal would not impact any buildings with heritage designation. She spoke further to the accessible parking spaces. She noted that the building materials will be determined during the site plan process.

The public meeting regarding an Application for a Zoning By-Law Amendment – 168 Division Street and 227 Brock Street adjourned at 7:42 p.m.

**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 Jiasen Song & Xinli Lian, with respect to the subject site located at 218 Albert Street. 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 intends to demolish the existing single-family dwelling to facilitate the construction of a 3 dwelling unit, 3-storey residential building containing a total of 12 bedrooms on the subject property. Each dwelling unit is proposed to have external access, one via the front façade along Albert Street and the other two units from the southern façade adjacent to the proposed driveway. Two on-site vehicular parking spaces are proposed to be located in the rear yard. The existing driveway located along the southern property line is proposed to be maintained through the redevelopment to provide vehicular access to the parking spaces at the rear of the proposed building.

**File Number: D14-033-2018
Address: 218 Albert Street
Application Type: Zoning By-Law Amendment
Owner: Jiasen Song & Xinli Lian
Applicant: IBI Group Incorporated**

Councillor Neill, Chair, called the public meeting regarding an Application for Zoning By-Law Amendment – 218 Albert Street to order at 7:43 p.m.

The agent conducted a PowerPoint presentation regarding Application for Zoning By-Law Amendment – 218 Albert Street. A copy of the PowerPoint presentation is attached to the original set of minutes located in the City Clerk's Department.

Pursuant to the requirements of the *Planning Act*, a notice of the Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to all 105 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in The Kingston Whig-Standard on January 29, 2019.

Mr. Sands informed the Committee that four items of correspondence have been received regarding the application.

Councillor Osanic questioned if there is enough space in the rear yard to accommodate a shed for bike storage. The agent responded that there would be space near the vehicle parking area.

Councillor Osanic expressed concern that some of the study rooms will be used as bedrooms. The agent responded that the site specific zoning would restrict the number of bedrooms to twelve and indicated that the site specific zoning also provides a definition for bedrooms.

Councillor Hill commented that the proposal appears to be quite a departure from the design of the other properties on Albert Street. He stated that Albert Street appears to part of a long standing neighbourhood. He sought further information regarding the status of the building from a heritage standpoint. He questioned if the proposal would conform to the long standing streetscape. The agent responded that the nearby properties are mainly three storey redbrick buildings. She commented that the property is not a designated heritage property. Councillor Hill stated that it would be helpful to have a rendering of the proposed development in relation to the existing properties.

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

Councillor Neill asked staff if it would be possible for Council to list the property on the heritage registry. Ms. MacCormick responded that currently the property is neither a listed or designated heritage property and explained that the house is on a list to be considered in the future for heritage protection. She clarified that there is not any heritage protection currently in place.

Councillor Neill sought further information regarding the definition of a bedroom. Ms. MacCormick spoke to the definition of a bedroom as defined by the Ontario Building Code Act. Councillor Neill mentioned that the required amenity space is determined by the number of bedrooms. Mr. Sands provided the Committee with information regarding the calculation of amenity space.

Councillor Neill requested that the property be reviewed via a site plan control process. Mr. Sands noted that Council could request that the site plan be bumped up to the Committee.

Councillor Stroud asked staff if there would be any ramifications to the Central Growth and Infill Strategy if the Zoning By-Law amendment was approved. Ms. MacCormick stated that the Central Kingston Growth and Infill Strategy is being completed and indicated that the site specific zoning would remain in place but would not influence the zoning for the remainder of the block.

Councillor Stroud referenced the recent approval of a Zoning By-Law amendment for 268 Victoria Street and commented that in this instance the proposed density is the primary concern rather than the built form. He expressed concern that this proposal will lead to other properties in the neighbourhood being destroyed. He stated that residents likely wish that the Central Growth and Infill Strategy was already in place.

Councillor Hutchison asked staff whether spot zoning is considered a best practice. Ms. MacCormick responded that spot zoning is not considered a best practice from a professional planning standpoint. She stated that staff will review the application in relation to existing policies.

Councillor Hutchison questioned if Albert Street is considered a stable neighbourhood. Ms. MacCormick spoke to the definition of stable neighbourhood as outlined in the Official Plan.

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

Mr. Donald Mitchell, 43 Gibson Avenue stated that it would be beneficial if the public had an opportunity to review all of the technical data prior to the statutory meeting. He stated that if the Zoning By-Law amendment was approved he is concerned what message would be sent to other nearby property owners. He commented that it appears that the application is contrary to best practices. He stated that existing policies and the Zoning By-Law are out of date. He questioned if the application conforms to section 2.7.18 of the Official Plan. He requested that the large tree in the backyard receive protection.

Ms. Ruth Pester, 2 Cooper Street provided the Committee with information regarding the current condition of the property in question. She expressed concern regarding the lack of parking for a building of the proposed density. She suggested that the proposed development would look like a large hotel on Albert Street. She commented that this type of development would not occur in a university district in other countries.

Mr. Neil Donnelly, 183 Victoria Street spoke to the Committee regarding the application for Zoning By-Law amendment – 218 Albert Street. A transcript of Mr. Donnelly's comment is available in the City Clerk's Department.

Mr. Chris Walmsley, 239 Albert Street stated that he does not support the approval of the Zoning By-Law amendment. He explained that existing additions on nearby properties have already blocked sunlight from his property. He indicated that the proposed development would negatively impact the remaining residents living on the street. He commented that in general terms, Albert Street is a stable neighbourhood. He stated that the proposal is another example of corrosive development that is tearing apart a neighbourhood which is under considerable stress.

Mr. Chris West, 208 Albert Street noted that the proposed Zoning By-Law amendment is quite shocking. He indicated that consideration must be given to what makes a neighbourhood a neighbourhood. He stated that the proposal would replace a home with character with a box. He indicated that this portion of Albert Street still has charm and integrity. He indicated that approving the Zoning By-Law amendment would be a colossal mistake and indicated that he is opposed to the proposed development.

Mr. Carl Bray, Bray Heritage noted that intensification is not appropriate everywhere. He stated that intensification is most appropriate on the edges of a neighbourhood. He spoke to the theory of sense of place and neighbourhood fabric. He indicated that Queen's University is trying to accommodate housing more students on campus. He commented that most students do not want to live in this style of housing. He indicated that student housing trends are moving in the other direction and suggested that this type of development is premature. He mentioned while this type of application is referred to as spot zoning it could also be described crudely as neighbourhood busting.

Mr. Frank Dixon, 495 Alfred Street commented that the Report does not include information regarding when the house was constructed. He commented that once the house is demolished it is gone forever. He questioned if the property could be considered for a heritage designation. He commented that heritage assets cannot be replaced.

The agent noted that zoning by-law amendments are considered on a case by case basis and should be reviewed in relation to its own context. She commented that she can appreciate that the house has some heritage value to the neighbourhood. She provided further clarification regarding parking. She stated that the applicant will work with staff regarding the design of the building to ensure that it is compatible with the neighbourhood.

Ms. MacCormick spoke to the heritage designation process.

The public meeting regarding an Application for a Zoning By-Law Amendment – 218
Albert Street adjourned at 8:52 p.m.

Regular Planning Committee Meeting Number 05-2019

Meeting to Order

Councillor Neill, Chair, called the regular meeting to order at 8:53 p.m.

Approval of the Agenda

Moved by Councillor Osanic
Seconded by Councillor Hill

That the agenda be amended to include the addendum, and as amended, be approved.

Carried

Confirmation of Minutes

Moved by Councillor Osanic
Seconded by Councillor Hill

That the minutes of Planning Committee Meeting Number 04-2019, held Thursday
January 24, 2019, be confirmed.

Carried

Disclosure of Pecuniary Interest

There were none.

Delegations

There were none.

Briefings

There were none.

Business

There was none.

Motions

There were none.

Notices of Motion

There were none.

Other Business

There was none.

Correspondence

- a) Correspondence received from John Armstrong, dated January 29, 2019 regarding 218 Albert Street.

Date and Time of Next Meeting

The next meeting of the Planning Committee is scheduled for February 21, 2019 at 6:30 p.m. at City Hall.

Adjournment

Moved by Councillor Hill
Seconded by Councillor Osanic

That the meeting of the Planning Committee adjourn at 8:54 p.m.

Carried