



**City of Kingston
Planning Committee
Meeting Number 01-2024
Agenda**

**Thursday, December 7, 2023 at 6:00 p.m.
Hosted at City Hall in Council Chamber**

Please provide regrets to Iain Sullivan, Committee Clerk at 613-546-4291, extension 1864 or isullivan@cityofkingston.ca

Committee Composition

Councillor Cinanni, Chair
Councillor Chaves
Councillor Glenn
Councillor M^cLaren
Councillor Oosterhof
Councillor Osanic

The meetings being held tonight are public meetings held under the Planning Act.

Notice of Collection – Personal information collected as a result of the public meetings are collected under the authority of the Planning Act and will be used to assist in making a decision on this matter. Persons speaking at the meeting are requested to give their name and address for recording in the minutes. All names, addresses, opinions and comments may be collected and may form part of the minutes which will be available to the public. Additionally, interested members of the public can email the Committee Clerk or the assigned planner if they wish to be notified regarding a particular application. Questions regarding this collection should be forwarded to the Director of Planning Services.

The first portion of tonight's meeting is to present a staff report for information. This report does not contain a staff recommendation and therefore no decisions will be made this evening. Following staff's presentation, the meeting will be opened to the public for comments and questions.

The second portion of tonight's meeting is to consider public meeting reports. These reports do contain a staff recommendation and the recommendation is typically to approve (with conditions) or to deny. After the planner's presentation, Committee members will be able to ask questions of staff, followed by members of the public. Following the question-and-answer period, this Committee then makes a recommendation on the applications to City Council who has the final say on the applications.

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 Ontario Land 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.

Non-Statutory Public Meeting

6:00 p.m.

Subject: Proposed New Site Plan By-Law and Site Plan Guidelines

The City's current Site Plan Control By-Law (By-Law Number 2010-017) was passed by Council on November 2, 2010 with an amendment passed on March 7, 2017. Since 2017, a number of changes have been made to the *Planning Act*, including through Bill 23, the *More Homes Built Faster Act, 2022* and Bill 97, the *Helping Homebuyers, Protecting Tenants Act, 2023*, which require the Site Plan Control By-Law to be updated to conform to current legislation. It is proposed that By-Law Number 2010-017 be repealed in its entirety and a new by-law be introduced, as presented for feedback in Exhibit A of this report.

Staff are also proposing that the existing Site Plan Control Guidelines be replaced with a new set of guidelines. The Site Plan Control Guidelines are intended to provide applicants with information on the Site Plan Control process, including application submission requirements, and can be a valuable tool in navigating the process. The current Site Plan Control Guidelines were introduced in October 2003 and last updated in December 2009. The draft Guidelines provided in Exhibit B are proposed to align with changes proposed to the Site Plan Control By-Law, address changes to the application process, and update inter-departmental information related to required plans and studies.

Staff are seeking feedback on the proposed new Site Plan Control By-Law and Site Plan Control Guidelines. Feedback received will be reviewed and incorporated into a recommendation report which is anticipated to be presented to the Planning Committee in Q1 2024.

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1. **Meeting to Order**

2. **Approval of the Agenda**

3. **Confirmation of Minutes**

- a) **That** the minutes of Planning Committee Meeting Number 20-2023, held Thursday, November 16, 2023, be approved.

4. **Disclosure of Pecuniary Interest**

5. **Delegations**

6. **Briefings**

7. **Business**

- a) **Subject: Recommendation Report**

File Number: D35-004-2022

Address: 2312 Princess Street

District: District 2 – Loyalist-Cataraqui

Application Type: Official Plan & Zoning By-Law Amendment

Owner: 976653 Ontario Inc.

Applicant: Patry Inc.

The Report of the Commissioner of Growth & Development Services (PC-24-010) is attached.

Schedule Pages 84 – 306

Recommendation:

That the Planning Committee recommends to Council:

That the applications for Official Plan and zoning by-law amendments (File Number D35-004-2022) submitted by Patry Inc., on behalf of 976653 Ontario Inc., for the property municipally known as 2312 Princess Street, be approved; and

That the City of Kingston Official Plan, as amended, be further amended, Amendment Number 88, as per Exhibit A, (Draft By-Law and Schedule A to Amend the Official Plan) to Report Number PC-24-010; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit B (Draft By-Law and Schedule A and B to Amend Zoning By-Law Number 2022-62) to Report Number PC-24-010; 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) Subject: Recommendation Report

File Number: D14-012-2023

Address: 1329, 1343, 1347, 1375, 1383 Gardiners Road and 561 Macrow Street

District: District 2 – Loyalist-Cataraqui

Application Type: Zoning By-Law Amendment

Owner: Clermont Investments Inc.

Applicant: Boulevard Group

The Report of the Commissioner of Growth & Development Services (PC-24-002) is attached.

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Recommendation:

That the Planning Committee recommends to Council:

That the application for a zoning by-law amendment (File Number D14-012-2023) submitted by Boulevard Group, on behalf of Clermont Investment Inc., for the property municipally known as 1329,1343,1347,1375,1383 Gardiners Road and 561 Macrow Street, be approved; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62) to Report Number PC-24-002; 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.

c) Subject: Recommendation Report

File Number: D14-013-2023

Address: 2103 McKendry Road

District: District 1 – Countryside

Application Type: Zoning By-Law Amendment

Owner: Peter Skebo

Applicant: The Boulevard Group

The Report of the Commissioner of Growth & Development Services (PC-24-003) is attached.

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Recommendation:

That the Planning Committee recommends to Council:

That the application for a zoning by-law amendment (File Number D14-013-2023) submitted by The Boulevard Group, on behalf of the owner Peter Skebo, for the property municipally known as 2103 McKendry Road, be approved; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62) to Report Number PC-24-003; 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.

d) Subject: Recommendation Report

File Number: D14-004-2023

Address: 769 King Street West

District: District 5 – Portsmouth

Application Type: Zoning By-Law Amendment

Owner: Yuri Levin

Applicant: Fotenn Planning & Design

The Report of the Commissioner of Growth & Development Services (PC-24-008) is attached.

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Recommendation:

That the Planning Committee recommends to Council:

That the application for a zoning by-law amendment (File Number D14-004-2023) submitted by Fotenn Planning + Design, on behalf of Yuri Levin, for the property municipally known as 769 King Street West, be approved; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62) to Report Number PC-24-008; 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.

e) Planning Advisory Committee Meeting Notes

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8. Motions

9. Notices of Motion

10. Other Business

11. Correspondence

12. Date of Next Meeting

The next meeting of the Planning Committee is scheduled for Thursday, December 21, 2023 at 6:00 p.m.

13. Adjournment

1. Approved Site Plan Items:

- D11-046-2020 – 870 Centennial Drive
- D11-029-2021 – 2702 Highway 2
- D11-005-2023 – 44 Barbara Avenue
- D11-020-2021 – 151 Bath Road
- D11-022-2022 – 18 Queen Street
- D11-040-2022 – 2069 Battersea Road
- D11-022-2022 – 18 Queen Street
- D11-035-2019 – 145 Dalton Avenue
- D11-031-2022 – 752 W King Street West
- D11-032-2022 – 2724 Princess Street

2. Applications Appealed to the Ontario Land Tribunal:

1. 2 River Street – OLT-22-004597 – OPA/ZBA – 5-week Hearing set starting January 30, 2024.
2. 275 & 283 Queen Street – OLT-22-004553 – ZBA – Three party settlement agreement approved by Council. Settlement verbally approved by the OLT on November 22, 2023.
3. 1533 McAdoos Lane – Site Plan Control – Appeal withdrawn by applicant on November 27, 2023.

3. Links to Land Use Planning Documents:

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

Provincial Policy Statement: <https://www.ontario.ca/page/provincial-policy-statement-2020>

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>