



**City of Kingston
Planning Committee
Meeting Number 04-2023
Minutes**

**Thursday, February 1, 2024 at 6:00 p.m.
Hosted at City Hall in Council Chamber**

Committee Members Present

Councillor Cinanni, Chair
Councillor Chaves
Councillor Glenn
Councillor Oosterhof
Councillor Osanic

Regrets

Councillor McLaren

Staff Members Present

James Bar, Manager, Development Approvals
Amy Didrikson, Intermediate Planner
Christine O'Connor, Committee Clerk
Tim Park, Director of Planning Services
Iain Sullivan, Committee Clerk

Others Present

Members of the public were present.

This is not a verbatim report.

Introduction by the Chair

Councillor Cinanni, Chair, explained the purpose of the meeting, read the rights and obligations afforded to the Committee members and members of the public during Community Meetings and reviewed the order of proceedings to clarify the speaking order for the Community Meeting.

Community Meeting

The Chair called the Community Meeting regarding the development proposal at 700 Gardiners Road and 100 Napier Street to order at 6:03 p.m.

a) File Number: D01-007-2023

Address: 700 Gardiners Road

Owner: Taggart (Gardiners) Corp.

Applicant: Taggart (Gardiners) Corp.

Youko Leclerc, Agent for the Applicant, conducted a presentation regarding the development proposal at 700 Gardiners Road. A copy of the presentation is available upon request through the City Clerk's Department.

The Chair provided members of the public with the opportunity to ask questions. There were no questions from the public.

Councillor Chaves asked if there is any intention to use the 1.5-hectare block for commercial use as a market. He asked if there are secondary exits for emergencies as the units are placed back-to-back. He asked for confirmation if the units are back-to-back or if they are stacked town homes. Mr. Leclerc stated that the current zoning on the site is broad to allow for a wide variety of stores to be established in the block. He reiterated that a corner store, grocery store, or a general store would all be permitted in the space. He noted that the buildings comply with the building code and that the top floor has a balcony as a place of refuge in an emergency. He confirmed that these units are not stacked.

b) File Number: D01-006-2023

Address: 100 Napier Street

Owner: Kingston Lawn Bowling Club

Applicant: Amber Peak Developments Inc. and Fotenn Planning + Design

Elysia Ackroyd, Agent for the Applicant, conducted a presentation regarding the development proposal at 100 Napier Street. A copy of the presentation is available upon request through the City Clerk's Department.

Savvas Frantzeskos, 315 Weller Avenue, stated that he has lived in Kingston for 32 years. He noted that in the first proposal there was an emphasis on maintaining and adding open spaces to allow development to occur but stated that this proposal eliminates open space to accommodate densification. He added that open space is a very limited resource. He highlighted his petition included on the addendum. He added that as the City aims to densify residential areas, it cannot lose sight of long-term community health. He stated that when the Kingston Lawn Bowling Club site was severed, the severance approval for one lot was based on a plan for two tennis courts and for parking spaces. He expressed disappointment that this proposal does not align with that plan. He added that the property was not included in the Central Kingston Growth Strategy. He asserted that the opposition to the rezoning of this property is overwhelming, and the official plan must be respected. He asked City staff how public opinion factors into decision-making for this application. He asked the developer what compensatory community benefit would be provided by the development. He asked how the proposed units would be accessible for those with mobility impairments and low-income residents of Kingston.

Heather Mcfarlane, 85 Napier Street, expressed concern for the rezoning of the open space to residential. She noted that the Kingston Lawn Bowling Club has heritage value as it has been there since 1932. She stated that heritage designation is a question for the area. She added that the other green spaces in the area are not easily accessible and stated concern for children crossing Brock Street and Johnson Street. She highlighted that the Sydenham District has the fewest number of parks and that this space is valuable and cannot be returned once it is gone. She questioned why the City would compromise this open space when the City is purchasing commercial space in other districts to turn into parks.

Armand Garnet Ruffo, 85 Napier Street, moved to Kingston in 2014.. He stated that in a highly dense area such as the Sydenham District, recreational space is crucial to the well-being of citizens. He stated opposition to the rezoning of the open space. He asked

for consideration of the property's historical value. He noted that the space has been used by seniors for 100 years and that prior to that it was a part of a vast homeland occupied by Indigenous peoples. He stated that reconciliation has to be more meaningful than land acknowledgement. He asserted that the maintenance of this land as open space would send a signal to Kingstonians and Canadians that Kingston is moving towards meaningful reconciliation. He proposed names that would honour Indigenous Canadians for the open space. He added that whatever the space is used for, a decision should be made with community consultation. He asked whether Council has considered the historical and heritage value of the property as a symbol of Kingston's commitment to reconciliation with Indigenous peoples.

Laura Knap, 79 Williams Street, stated that she found this file interesting as the neighbourhood has operated almost entirely on private space. She displayed a slide of a map showing open space in the City of Kingston. She noted that the Sydenham District is essentially an open space desert. She added that she speaks on behalf of the Sydenham District Association (SDA) and herself. She reiterated that there were no public greenspaces accessible within the area. She asked City staff whether there is a target ratio for open space to population. She further asked whether the open space area enumerated here include OS2 zonings or private open space zonings. She stated that if the answer to these questions is yes, the neighbourhood is leaning on a tiny amount of open public space. She added that even if the answer to those questions is no, if the parkland ratio represents both public and private open space, then the ratio would be smaller today as the population has grown since 2021. She highlighted the population growth that this area will experience in the coming decades, especially due to the district's proximity to Queen's University. She stated that the City can build more housing but that it cannot build more open space. She added that this development is not enough to address a housing crisis.

Martha Vosper, 194 Johnson Street, expressed deep love for the neighborhood. She added that as the present Chair of the SDA, she agrees with the previous speaker. She asserted that there are not enough units in the proposed development to make it worth destroying the neighbourhood. She noted that all of Johnson Street is poised to be turned into housing and expressed agreement with the comments on greenspace. She added that residents' mental health is being challenged by homelessness but that it is also being challenged by changes to the fabric of the neighbourhoods. She stated that neighbourhoods need to have trees, greenspace, and comfortable living spaces. She stated that the plans for large numbers of developments along Johnson Street are adequate.

Robert Forenger, 751 Johnson Street, distributed correspondence to the Committee. He asked why no mention was made in the staff report to policies reproduced in page three. He asked what process the City uses to encourage the ongoing open space use of lands such as the subject lands which he added were approved for a tennis court in the summer of 2022. He asked whether staff informed the Kingston Lawn Bowling Club and Council of Section 38 when they learned the club intended to pursue the sale of subject land for residential purposes. He asked whether Council had rejected acquisition of the land despite the neighbourhood being grossly deficient in public open space. He expressed concern for the loss of open space in the area. He stated that this proposal is significant and precent setting and that public acquisition should be pursued. He added that injecting development of this type at this density in this location does not constitute appropriate residential infill. He expressed concern for the height of the proposed building within the context of the existing neighbourhood.

John Clements, 152 Napier Street, urged the City to consider purchase of the land in the same way it considered other properties. He expressed his wish to speak to the Parks and Recreation Master Plan and referenced a study regarding the significant lack of recreation and parkland space in this area. He added that he believes the City underestimates the population of this area. He highlighted the Kingston housing target set by the province of 587 units and stated that there have been 1142 added. He added that the recent announcement of a decrease in international students' acceptance will impact this area. He suggested a tennis court for the property.

In response to the public comments, Ms. Ackroyd stated that the residential dwellings being proposed would be three storeys in height and less than the 10.7 metres that is permitted by the zoning by-laws. She added that there would be minimal shadowing impacts and that there would be minimal impact on street parking as there are two drive aisles being proposed at three metres in width. She noted that the Kingston Lawn Bowling Club does not have onsite parking, but that the street parking should still be available in the event that it is needed for those visiting the club. She stated that the units are not anticipated to be provided as affordable housing and they are proposed to be rental units. She noted that the proposed buildings would be more vertical in their shape and would include stairs meaning they would not be considered barrier-free units. She added that the benefit to the overall community of this proposal is the ability for the Kingston Lawn Bowling Club to operate as they are proposing to operate following the sale of these lands. She confirmed that there is no heritage designation applicable to this property. She confirmed that there are eight units being proposed for the site. Mr. Leclerc added that the applicant would be looking at cash in lieu of parkland, which is

cash provided to the City that goes into a pool of funds that the City can use to improve or acquire new parkland.

Mr. Didrikson explained that this meeting is the pre-application stage where City staff and the applicant can hear public feedback. She stated that staff consider public comments and lived experiences alongside broader policy framework, the Official Plan and broader public interest. She noted that all of these factors are considered in Planning recommendations to Council. She added that there were a few questions around the Parks and Recreation Master Plan that she would need to consult Parks and Recreation Staff further on.

Mr. Park explained that when the severance application for this property was originally filed, Parks and Recreation were approached regarding interest in acquiring the property for parkland. He noted that at that time they identified it was not a priority as the instruction from Council was to focus on acquiring parkland in the Williamsville District.

Councillor Glenn asked why the applicant chose this site. She asked if the intention is to build rental units, and if so, what demographic the units would be directed to. Jacob Welsh, Applicant- stated that he chose this site due to how long it had been sitting on the market. He added that there was minimal movement on the site since October of 2022. He noted that in initial conversations with the Kingston Lawn Bowling Club, they understood that the Club was having difficulties with costs due to low membership. He added that this land would not be worth nearly as much if it was not rezoned to residential. He confirmed that the units would be rental and that his company is a student housing provider, primarily for Queen's University. He highlighted the strong demand for housing from students.

Councillor Glenn asked whether consideration was given to creating rental units for families. Mr. Welsh reiterated that Amber Peak primarily focuses on students. Mr. Leclerc added that through the planning process, the land use that would be applied to the property would not make a distinction between who could be the end user.

Councillor Glenn stated that there are graduate students and professional students who have families as well. She noted that if family friendly units are not being created, a section of the student population is being disadvantaged. She added that this area is more suited to family friendly units, especially with a public school located around the corner. She further asked what the size of the individual units would be and how many people would be living in each unit. Ms. Ackroyd explained that the units would be single dwelling with an additional residential dwelling unit within them. She added that

each unit is proposed to have four bedrooms within them, a total of eight bedrooms per lot, in keeping with the Kingston Zoning Provisions that currently apply.

Councillor Glenn asked if there was consideration given to putting less buildings on the site. Mr. Welsh stated that a smaller footprint was not considered due to the price that the Kingston Lawn Bowling Club wanted to sell the lands for. He added that in looking at the land, it would not be economically viable to do a smaller scale project on this site given the purchase price.

Councillor Glenn commented that the Sydenham district is already seeing development on Johnson Street that will increase density and they have been asked to upzone the Aberdeen area to obtain funding for additional housing with the community. She highlighted that her district has been asked to give a fair amount and with the population increase expected alongside those developments, it is important to maintain green spaces as much as possible.

Councillor Osanic asked whether a for sale sign was placed on the property during the time it was listed on the market. Mr. Welsh stated that to his knowledge there was no for sale sign on the property but noted that the land was publicly listed on the Multiple Listing Service (MLS) since October of 2022.

Councillor Osanic commented that she had seen cases like this before, where Council is unaware of a property being available for purchase due to their being no physical sign. She added that if Council had known that this land was for sale, maybe their policy regarding focusing on purchasing land in Williamsville would have changed to include this area. She asked if the four houses would have basements or if they would be built on slab. She asked if there would be drilling or dynamite used to build the units. She asked where the snow would be stored. Ms. Ackroyd confirmed that the dwelling units are proposed to be built on slab with no basement. She added that there should not be any blasting needed but that some underground work may be needed for the provision of services such as water pipes and fibre optic cables. She noted that there are a few open space areas in the rear yard that could accommodate snow.

Councillor Osanic asked what space on the lot would be used for trees. Ms. Ackroyd explained that the conceptual site plan proposes planting of trees, shrubs and other plants in the front and rear yards.

Councillor Chaves asked whether the homes are for rent or for sale. Ms. Ackroyd stated that the applicant's intent is to retain the property rentable units.

Councillor Chaves asked if they would turn away non-student renters. Mr. Welsh stated that they would not discriminate against potential renters based on status as a student.

Councillor Chaves asked whether the applicant had purchased the property yet. Mr. Welsh explained that due to the purchase price that the Kingston Lawn Bowling Club was looking for, they had entered into an agreement of purchase and sale conditional on successful rezoning of the property to residential.

Councillor Chaves asked if the applicant would consider the property value of open space to be less valuable than residential. Mr. Welsh stated that in his perspective the property value is more valuable as residential, but that he cannot speak to the perspective of others. He added that he has never developed land for open space use, so he could not speak to the economic potential of a tennis court or other recreational space.

Councillor Chaves asked City staff if the City can control who property owners sell their land to. Mr. Bar stated that the City does not have the ability to control private land transactions.

Mr. Park clarified the Community Meeting process for members of the public present.

The Chair adjourned the Community Meeting at 7:38 p.m.

Meeting to Order

The Chair called the meeting to order at 7:38 p.m.

Approval of the Agenda

Moved by Councillor Glenn

Seconded by Councillor Chaves

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

Carried

Confirmation of Minutes

Moved by Councillor Glenn

Seconded by Councillor Osanic

That the minutes of Planning Committee Meeting Number 03-2024, held Thursday, January 4, 2024, be approved.

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

See Addendum.

Date and time of Next Meeting

The next meeting of the Planning Committee is scheduled for Thursday, February 15, 2024 at 6:00 p.m.

Adjournment

Moved by Councillor Glenn

Seconded by Councillor Chaves

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That the meeting of the Planning Committee adjourn at 7:39 p.m.

Carried