

City of Kingston Report to Planning Committee Report Number PC-24-022

To: Chair and Members of the Planning Committee

From: Paige Agnew, Commissioner, Growth & Development Services

Resource Staff: Tim Park, Director, Planning Services

Date of Meeting: March 21, 2024

Subject: Community Meeting Report File Numbers: D01-001-2024, D01-003-2024

Council Strategic Plan Alignment:

Theme: 5. Drive Inclusive Economic Growth

Goal: 5.3 Diversify Kingston's economic base.

Executive Summary:

The following is a Community Meeting Report enclosing information about the following applications that will be subject to a Community Meeting at Planning Committee, with a presentation by the applicant:

- Address: 40 Hyperion Court (File Number D01-001-2024, Future Application Type: zoning by-law amendment)
- Address: 1287-1301 Gardiners Road (File Number D01-003-2024, Future Application Type: zoning by-law amendment)

March 21, 2024

Page 2 of 4

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

Paige Agnew, Commissioner, Growth & Development Services

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

Lanie Hurdle, Chief Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Jennifer Campbell, Commissioner, Community Services

Not required

Not required

David Fell, President & CEO, Utilities Kingston

Not required

Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives

Not required

Brad Joyce, Commissioner, Infrastructure, Transportation &

Emergency Services

Not required

Desirée Kennedy, Chief Financial Officer & City Treasurer

Not required

March 21, 2024

Page 3 of 4

Options/Discussion:

Non-Statutory Community Meeting

The purpose of the Community Meeting is to provide the applicant with an opportunity to present a potential development proposal in the early stages of the development process and to seek feedback from the public and members of Planning Committee before a complete application is submitted to the City. Anyone who attends a Community Meeting may present an oral submission, and/or provide a written submission on the proposals being presented.

A Community Meeting Form (completed by the applicant) and a standard map package showing the location of the subject site, and relevant Official Plan land use designation and zoning information for each proposal is included as an exhibit to this report, as follows:

- 40 Hyperion Court, File Number D01-001-2024 (Exhibit A)
- 1287-1301 Gardiners Road, File Number D01-003-2024 (Exhibit A)

All submission materials are available online through the Development and Services Hub (DASH) at the following link, <u>DASH</u>, using "Look-up a Specific Address". If there are multiple addresses, search one address at a time, or submission materials may also be found by searching the file number.

Statutory Public Meeting

If the applications proceed to a complete application, a statutory Public Meeting for each application will be scheduled at a later date and further Notice regarding the Public Meeting will be provided in accordance with the *Planning Act*.

Existing Policy/By-Law:

Planning Act

Provincial Policy Statement, 2020

City of Kingston Official Plan

Kingston Zoning By-Law Number 2022-62

By-Law Number 2007-43, A By-Law to require Development Proponents to Pre-Consult with The Corporation of the City of Kingston respecting Planning Matters

Notice Provisions:

Notices were sent by mail to all property owners (according to the latest Assessment Rolls) within 120 metres of the subject properties and a notice sign was posted on the subject properties.

March 21, 2024

Page 4 of 4

Accessibility Considerations	Acce	essibili	ity Co	nside	rations
------------------------------	------	----------	--------	-------	---------

None

Financial Considerations:

None

Contacts:

James Bar, Manager, Development Approvals, 613-546-4291 extension 3213

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Community Meeting Form, Application Materials and Map Package for 40

Hyperion Court (File Number D01-001-2024)

Exhibit B Community Meeting Form, Application Materials and Map Package for

1287-1301 Gardiners Road (File Number D01-003-2024)



City of Kingston Community Meeting Form

Note to Applicant: This Form is to be completed by the Applicant and is intended to provide a detailed description of the site, locational context and the proposed application as the basis for a Community Meeting at Planning Committee. The only supplementary information that will be provided by Staff for the Community Meeting is a map package (location, Official Plan, zoning, etc). Please keep residents and members of Planning Committee in mind when completing this form by ensuring that all information is thorough, detailed and understandable. Where a field is not applicable to the site or proposal, please indicate "N/A". Since this Form will be attached as an exhibit to a staff report, this Form must be completed in a manner that is accessible. Please refrain from using formatting or tables that are not accessible. If this form is completed in a manner that is not accessible, it may result in delays to the timing of the Community Meeting and may require staff to make amendments or adjustments prior to attaching the form as an exhibit to a staff report.

Owner/Application Information

Owner: 1382739 ONTARIO LIMITED

Applicant (if Owner is not the Applicant): The Boulevard Group

Site Characteristics

Site address: 40 Hyperion Court

Site area: 1.8 hectares

Description of existing use and buildings on site (height, floor area, units, bedrooms, parking spaces, setbacks, etc): Presently, the subject property is developed with a single storey building surrounded by surface vehicular parking. Located at the rear (south façade) of the building are the loading bays which provide increased functionality of the existing on-site development. The existing building on-site is 40,025 square feet in gross floor area and is currently divided between two (2) separate units. The unit fronting Lappan's Lane is currently occupied by a laboratory, warehouse and retail store (St. Lawrence Pools). The easternmost unit within the building is currently vacant, formerly functioned as a call centre. The property was

developed approximately 20 years ago, and is subject to an existing Site Plan Control Agreement.

Official Plan designation: Business Park Industrial & SSP #9

Zoning by-law (zone and other relevant schedules and overlays): M1 – Business

Park

Existing number of trees: ~20

Number of existing trees to be retained: ~20

Description of heritage status (not a heritage building, listed, designated or located in a heritage conservation district): N/A

Description of Surrounding Uses and Buildings

East: Business Park

West: Business Park

North: Business Park

South: Business Park

Description of Proposal

Summary description of the proposal (use, height, floor area, setbacks, units, bedrooms, condominium, rental, affordability level, parking and bike spaces, will existing building or any existing features be retained/renovated/demolished etc.): No development is proposed as part of this application. The purpose of this application is to primarily broaden the complementary uses that are permitted on the subject property to facilitate increased marketability for future tenants and employment opportunities. In addition to broadening the permitted complementary uses, the proposed Zoning By-law Amendment application seeks to modify the existing performance standards applicable to the threshold regulating the permitted primary use (ie. Retail Store) on the subject property in accordance with the City's Official Plan policies. There are also proposed amendments to the open storage provisions.

Type of Application: Zoning By-law Amendment

Proposed use: As existing, with additional complementary uses permitted

Proposed number and type of residential units and bedrooms (if residential): N/A

Proposed gross floor area (of each use): As existing

Proposed height: As existing

Proposed setbacks:

Front: As existing

Interior: As existing

Exterior: As existing

Rear: As existing

Proposed number of vehicular parking spaces (include breakdown of occupant,

visitor, car-share, accessible, etc): As existing

Proposed number of bicycle parking spaces: As existing

Proposed landscaped open space: As existing

Proposed amenity area (if residential): N/A

Proposed number of trees to be planted: 0

Description of how the application conforms with the Official Plan: The proposed additional complementary uses are compatible with the surrounding area, and conform to Policies 3.6.12, 3.6.A.2 and 3.6.A.6.

If located in an area that is subject to Official Plan policies related to source water, natural heritage system, natural heritage features and areas, hazards, cultural heritage resources, areas of archaeological potential, or areas of archaeological significance, description of how the proposal will conform with the policies: N/A

Description of amendment(s) required to the Zoning By-law: The purpose of this application is to primarily broaden the complementary uses that are permitted on the subject property to facilitate increased marketability for future tenants and employment opportunities. In addition to broadening the permitted complementary uses, the proposed Zoning By-law Amendment application seeks to modify the existing performance standards applicable to the threshold regulating the permitted primary use (ie. Retail Store) on the subject property in accordance with the City's Official Plan policies. There are also proposed amendments to the open storage provisions.

Other information that would be valuable for a Community Meeting: No development is proposed as part of this application.

List of Drawings/Studies Submitted

- Servicing Report
- Draft by-law
- Floor Plan

- Zoning Review Matrix
- Existing approved Site Plan

Community Meeting Form Prepared by: The Boulevard Group

Date: 17 January 2024

File Number D01-001-2024

By-Law Number 2024-XX

A By-Law to Amend By-Law Number 2022-62, "Kingston Zoning By-Law Number 2022-62" (Introduction of Exception 'E__' and Addition of Holding Overlay 'H__' (40 Hyperion Court))

Passed: [Meeting Date]

Whereas the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, "Kingston Zoning By-Law Number 2022-62" (the "Kingston Zoning By-Law");

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend the Kingston Zoning By-Law;

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

- 1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled "Kingston Zoning By-law Number 2022-62", is amended as follows:
 - 1.1. Schedule E Exception Overlay is amended by adding Exception 'E__', as shown on Schedule "A" attached to and forming part of this By-Law;
 - Schedule F Holding Overlay is amended by adding Hold Number 'H__', as shown on Schedule "B" attached to and forming part of this By-Law;
 - 1.3. By adding the following Exception Number E__ in Section 21 –Exceptions, as follows:
 - "E__. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
 - (a) The following **complementary uses** are permitted, up to a maximum of 49% of the total **gross floor area**, in the aggregate:
 - (i) Animal Care
 - (ii) Animal Shelter
 - (iii) Day Care Centre
 - (iv) Financial Institution

City of Kingston By-Law Number 2024-XX

Page 2 of 3

- (v) Fitness Centre
- (vi) Laundry Store
- (vii) Personal Service Shop
- (viii) Place of Worship
- (ix) Recreation Facility
- (x) Wellness Clinic
- (b) The calculation for the number of bike spaces, and **end-of-trip bike facilities**, shall be determined based separately on the individual units within the building, and not on the overall building.
- (c) A **retail store** is permitted to a maximum of 50% of the **gross floor** area of the building.
- (d) Open Storage:
 - (i) Minimum rear setback: 3.0 metres
 - (ii) Minimum interior setback: 3.0 metres
 - (iii) Minimum exterior setback: 10.0 metres
 - (iv) Maximum area of open storage: 25% of lot area
- 1.4. By adding the following Hold Number H__ in Section 22 Holding Conditions, as follows:
 - "H__. The Holding Overlay only applies to a Day Care Centre. All other permitted uses are not subject to the Holding Overlay. Prior to the removal of the Holding Overlay, the following conditions must be satisfied:
 - (a) The submission of a satisfactory noise impact study prepared by a qualified person as defined by the City and completed to the satisfaction of the City and which adheres to all applicable municipal and provincial requirements"
- 2. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Exhibit A Report Number PC-24-022 City of Kingston By-Law Number 2024-XX

Page 3 of 3

Given all Three Readings and Passed: [Meeting Date]		
Target Targets		
Janet Jaynes		
City Clerk		
Bryan Paterson		
Mayor		

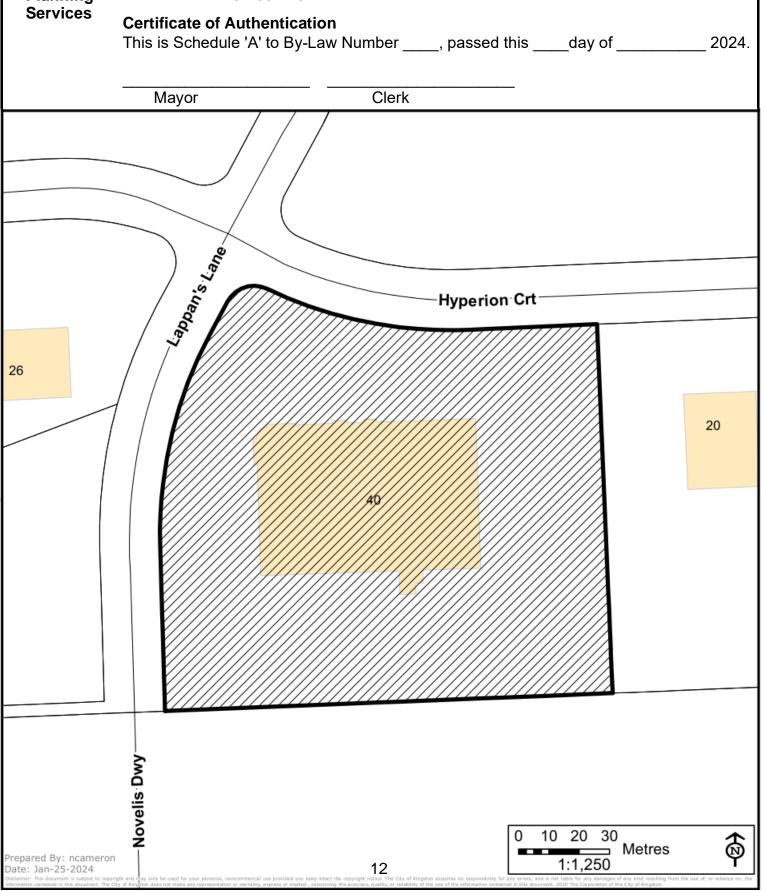


Schedule 'A' to By-Law Number

Kingston Zoning By-Law 2022-62 Schedule E - Exception Overlay

Address: 40 Hyperion Court File Number: D01-001-2024

Lands to be added as EXXX





Schedule 'B' to By-Law Number

Address: 40 Hyperion Court File Number: D01-001-2024 **Kingston Zoning By-Law 2022-62 Schedule F - Holding Overlay**

Lands to be added as HXXX

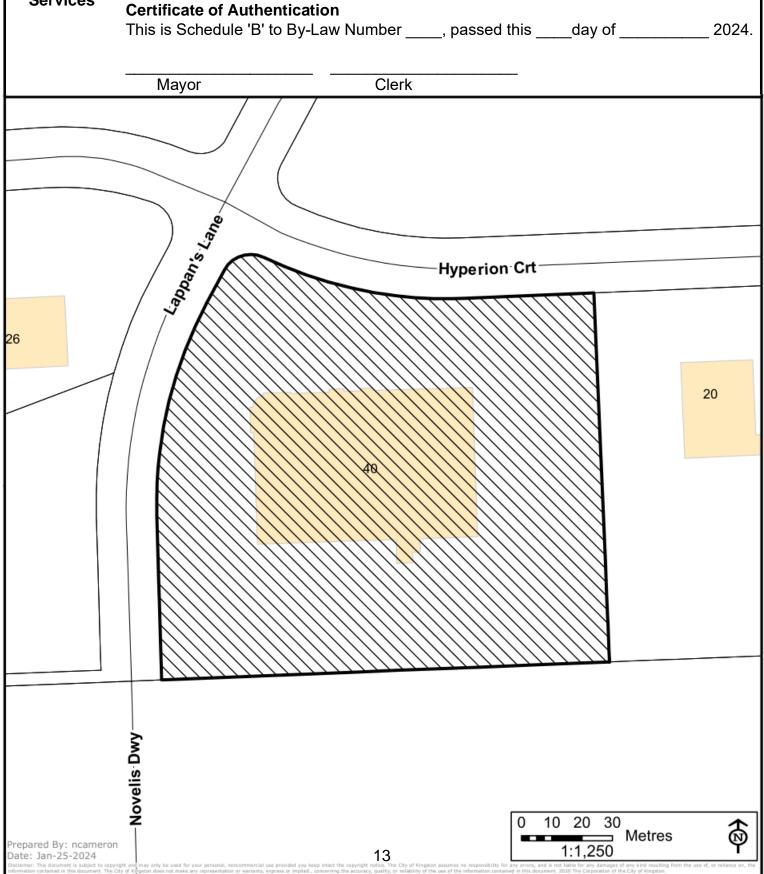


Exhibit A Report Number PC-24-022 Planning Committee John Counter Blvd **Key Map** KINGSTON Address: 40 Hyperion Crt. File Number: D01-001-2024 **Planning** Services Subject Lands Lappan's Lane Hyperion Crt 40 Prepared By Control Date: Jan-25-20 10 20 30 → Metres 1:1,000 14

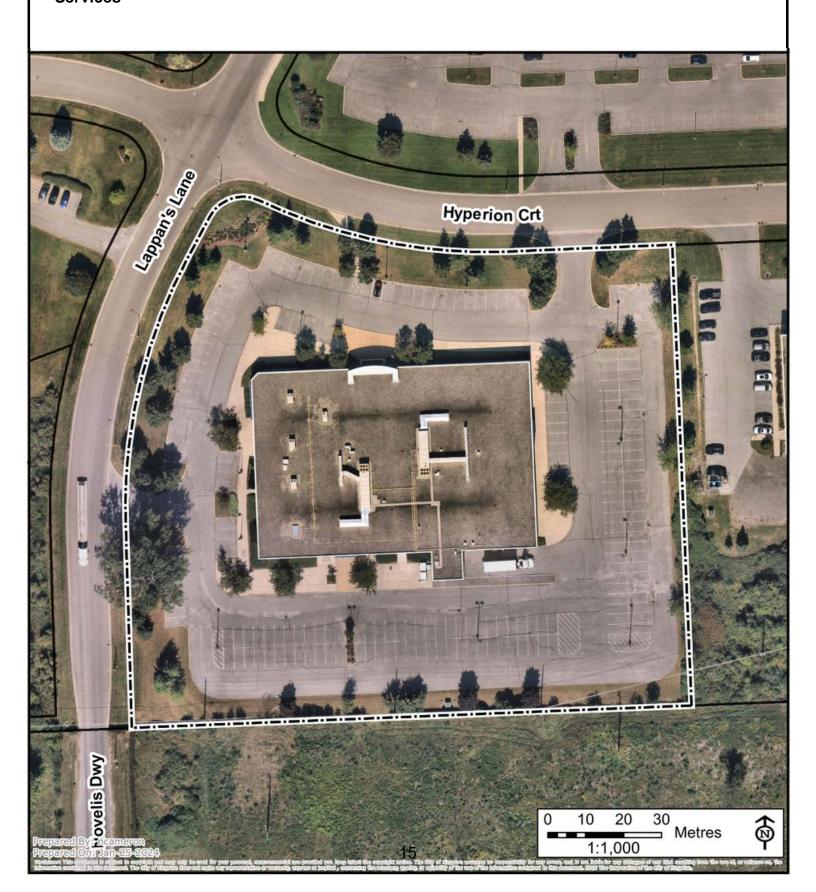


Planning Committee

Neighbourhood Context

Address: 40 Hyperion Crt. File Number: D01-001-2024

Subject Lands
Property Boundaries
- Proposed Parcels





Planning Committee

Official Plan, Existing Land Use

Address: 40 Hyperion Crt. File Number: D01-001-2024

Subject Lands

BUSINESS PARK INDUSTRIAL



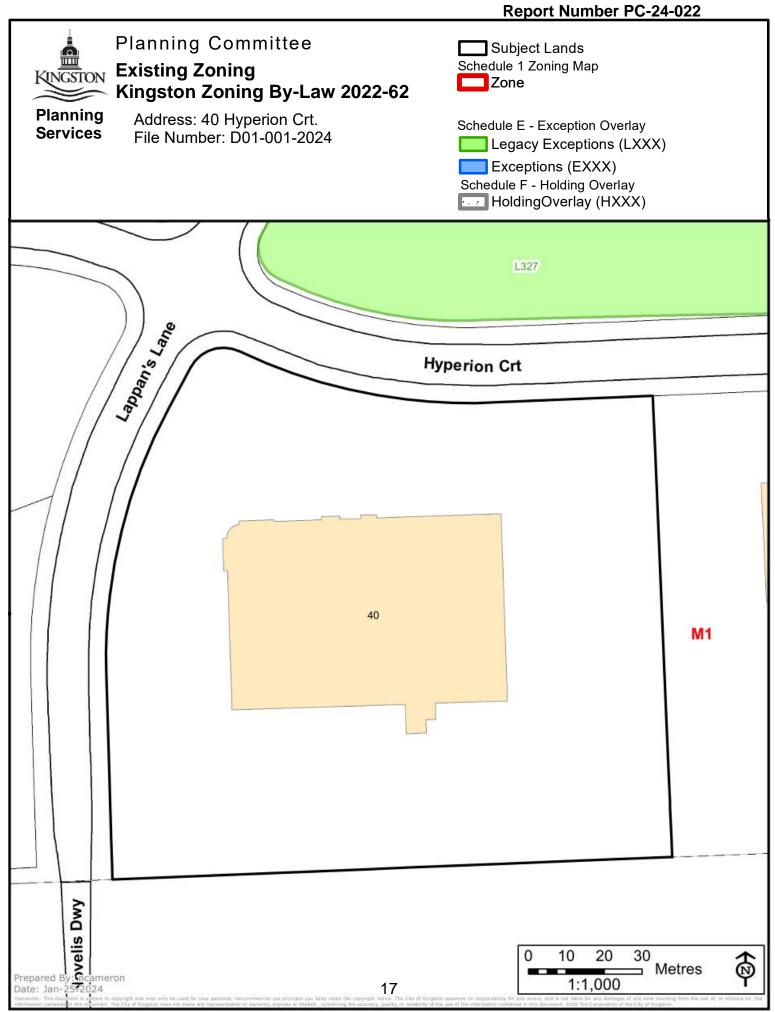


Exhibit A Report Number PC-24-022

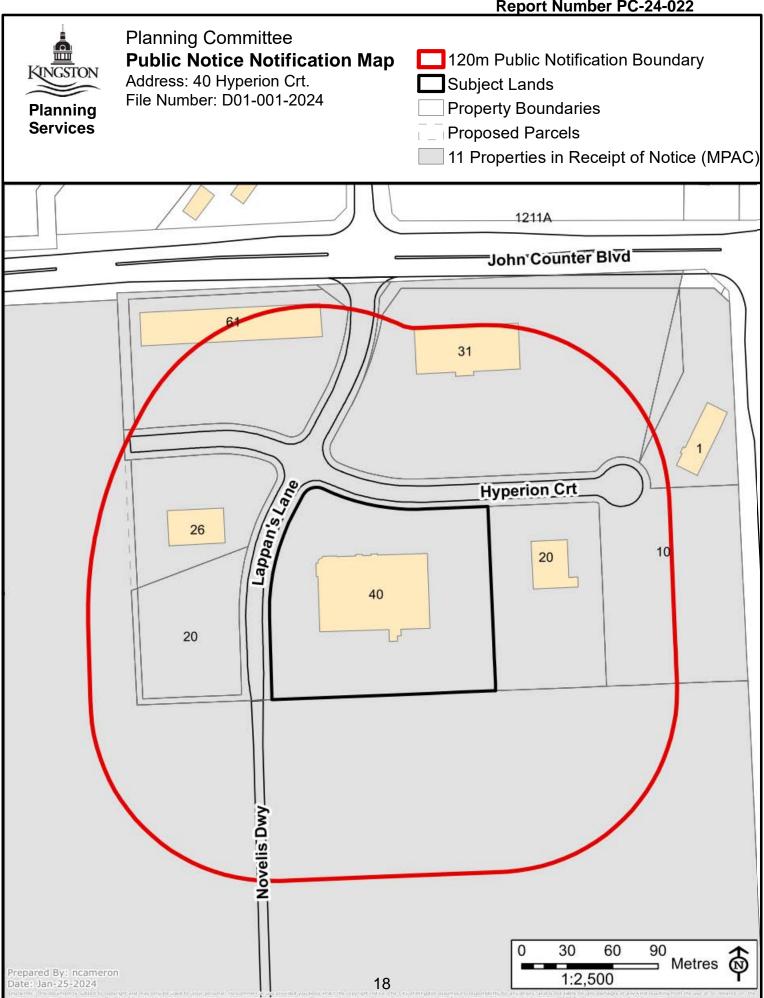
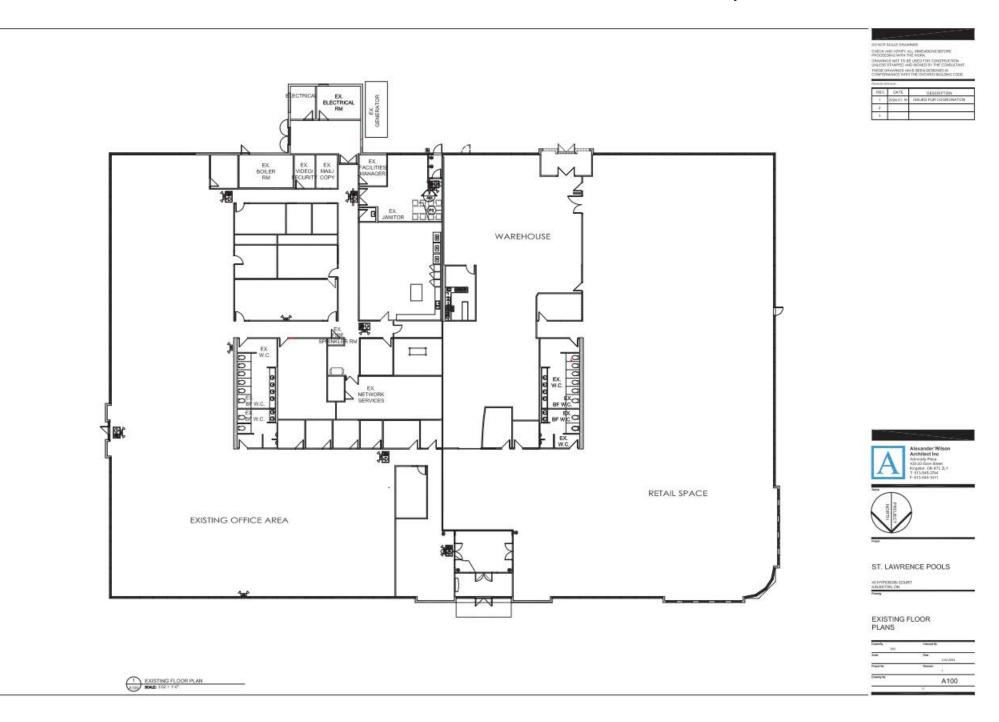


Exhibit A Report Number PC-24-022 LEGEND: PROPERTY SHAPE SHA * NAME OF APPAN'S 200 CARS 1 STOREY BUILDING 3.718.48 S.M. (40,325 S.F.) 26 30tY-FIN FLELEY: 98.90 OMORT. NOTE 2: Uttors up the secret savi prior secreto especial 100 ES 50 ED LUCK DESCRIPTION HYPERION COURT PERSONAL PROPERTY AND 1 SITE PLAN The Court and in you to be count of at the star Site Plan CALL CENTRE HYPERION COURT & LAPPAN'S LANE FOR: SIGNUM CORPORATION SITE INFORMATION: 4.50 Acres 1,8211 He. GROLIND FLOOR AREA : 40,025 S.F. 3,718.48 S.M. Petroff Partnership Architects GROSS FLOOR AREA: 40,005 S.F. A.THE 48 S.M. TOTAL PARTING PARKEDS : - TOTAL HARDCOMPACE PROVIDED : 200 CARS 4 CARS 02156

Exhibit A Report Number PC-24-022





City of Kingston Community Meeting Form

Note to Applicant: This Form is to be completed by the Applicant and is intended to provide a detailed description of the site, locational context and the proposed application as the basis for a Community Meeting at Planning Committee. The only supplementary information that will be provided by Staff for the Community Meeting is a map package (location, Official Plan, zoning, etc). Please keep residents and members of Planning Committee in mind when completing this form by ensuring that all information is thorough, detailed and understandable. Where a field is not applicable to the site or proposal, please indicate "N/A". Since this Form will be attached as an exhibit to a staff report, this Form must be completed in a manner that is accessible. Please refrain from using formatting or tables that are not accessible. If this form is completed in a manner that is not accessible, it may result in delays to the timing of the Community Meeting and may require staff to make amendments or adjustments prior to attaching the form as an exhibit to a staff report.

Owner/Application Information

Owner: 1112019 Ontario Ltd & 976653 Ontario Inc.

Applicant (if Owner is not the Applicant): The Boulevard Group

Site Characteristics

Site address: 1287 & 1301 Gardiners Road

Site area: 2.5 ha & 0.94 ha

Description of existing use and buildings on site (height, floor area, units, bedrooms, parking spaces, setbacks, etc): The building has been used for a variety of office and light industrial uses. No new development is proposed as part of this application. It is proposed to change the zoning on the subject properties from M1 to M4.

Official Plan designation: Business Park Industrial

Zoning by-law (zone and other relevant schedules and overlays): M1

Existing number of trees: Unknown

Number of existing trees to be retained: No change

Description of heritage status (not a heritage building, listed, designated or located in a heritage conservation district): N/A

Description of Surrounding Uses and Buildings

East: Business Park Uses

West: Vacant Land

North: Business Park Uses

South: Business Park Uses

Description of Proposal

Summary description of the proposal (use, height, floor area, setbacks, units, bedrooms, condominium, rental, affordability level, parking and bike spaces, will existing building or any existing features be retained/renovated/demolished etc.): No development is proposed on the subject lands as part of the application. It is proposed to change the zoning from M1 to M4.

Type of Application: Zoning By-law Amendment

Proposed use: Amend the zoning on the property from M1 to M4

Proposed number and type of residential units and bedrooms (if residential): N/A

Proposed gross floor area (of each use): As existing

Proposed height: As existing

Proposed setbacks:

Front: As existing

Interior: As existing

Exterior: As existing

Rear: As existing

Proposed number of vehicular parking spaces (include breakdown of occupant,

visitor, car-share, accessible, etc): As existing – 355 spaces

Proposed number of bicycle parking spaces: As existing

Proposed landscaped open space: As existing

Proposed amenity area (if residential): N/A

Proposed number of trees to be planted: No new trees proposed

Description of how the application conforms with the Official Plan:

The proposed permitted uses are consistent with Official Plan policy for the Business Park Industrial designation and are generally compatible with the existing business park area as demonstrated by the current mix of uses, which includes complementary service commercial uses. All future physical development will be subject to Site Plan Control, which will include a detailed review of any proposed development and provides an opportunity to implement any necessary mitigations measures if required

The proposed Zoning By-law Amendment will encourage and support a mix of uses (commercial, office and light industrial) and support the continued success of the business park area

If located in an area that is subject to Official Plan policies related to source water, natural heritage system, natural heritage features and areas, hazards, cultural heritage resources, areas of archaeological potential, or areas of archaeological significance, description of how the proposal will conform with the policies: N/A

Description of amendment(s) required to the Zoning By-law: Change the zoning from M1 to M4, and to remove bike requirements for the existing building.

Other information that would be valuable for a Community Meeting: No development is proposed as part of this application

List of Drawings/Studies Submitted

- Draft Zoning By-Law
- Servicing Report

Community Meeting Form Prepared by: The Boulevard Group

Date: 19 January 2024

File Number D01-003-2024

By-Law Number 2024-XX

A By-Law to Amend By-Law Number 2022-62, "Kingston Zoning By-Law Number 2022-62" (Introduction of Exemption Number 'EXXX' and Introduction of Holding Overlay 'HXXX' (1287 & 1301 Gardiners Road))

Passed: [Meeting Date]

Whereas the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, "Kingston Zoning By-Law Number 2022-62" (the "Kingston Zoning By-Law");

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend the Kingston Zoning By-Law;

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

- 1. By-Law Number 2022-62 of The Corporation of the City of Kingston is amended as follows:
- 1.1. Schedule 1 Zoning Map is amended by changing the zone symbol "M1' to zone symbol "M4', as shown on Schedule "A" attached to and forming part of this By-Law.
- 1.2. Schedule E Exception Overlay is amended to add Exception Number EXXX, as shown on Schedule "B" attached to and forming part of this By-Law. Schedule F Holding Overlay is amended to add Holding Overlay HXXX, as shown on Schedule "B" attached to and forming part of this By-Law.
- 1.3. Schedule F Holding Overlay is amended by adding Holding Overlay HXXX, as shown on Schedule "C" attached to and forming part of this By-Law. Schedule E Exception Overlay is amended by adding Exception Number EXXX, as shown on Schedule "C" attached to and forming part of this By-Law.
- 1.4. By adding the following Exception Number EXXX in Section 21 Exceptions, as follows:
 - "EXXX. Despite anything to the contrary in the By-Law, the following provisions apply to the lands subject to this Exception:
 - (a) **Long-term bike spaces** are not required for the **building** existing on the date of passing of this By-Law at 1287

Page **2** of **2**

Gardiners Road;

- (b) End-of-trip bike facilities for non-residential uses are not required for the building existing on the date of passing of this By-Law at 1287 Gardiners Road;
- (c) The calculation for the number of bike spaces, and **end-of-trip bike facilities**, shall be determined based separately on the individual units within a **building**, and not on the overall **building**.
- 1.4 By adding the following Holding Number HXXX in Section 22 Holding Conditions, as follows:

"HXXX. The Holding Overlay only applies to a **day care centre**. All other permitted uses are not subject to the Holding Overlay. Prior to the removal of the Holding Overlay, the following conditions must be satisfied:

- (a) The submission of a satisfactory noise impact study prepared by a qualified person as defined by the **City** and completed to the satisfaction of the **City** and which adheres to all applicable municipal and provincial requirements"
- 2. This By-Law shall come into force in accordance with the provisions of the *Planning Act.*

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes	
City Clerk	
Bryan Paterson	
Mayor	



Schedule 'A' to By-Law Number

Address: 1287 and 1301 Gardiners Rd

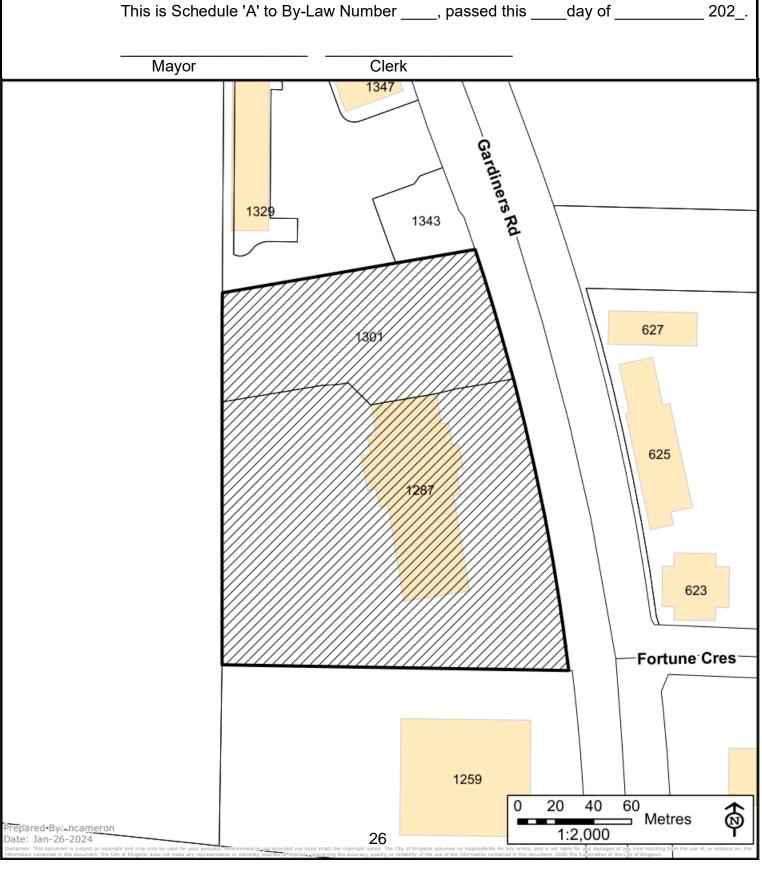
File Number: D01-003-2024

Kingston Zoning By-Law 2022-62 Schedule 1 - Zoning Map

Subject Lands

Lands to be Rezoned from M1 to M4

Certificate of Authentication





Schedule 'B' to By-Law Number

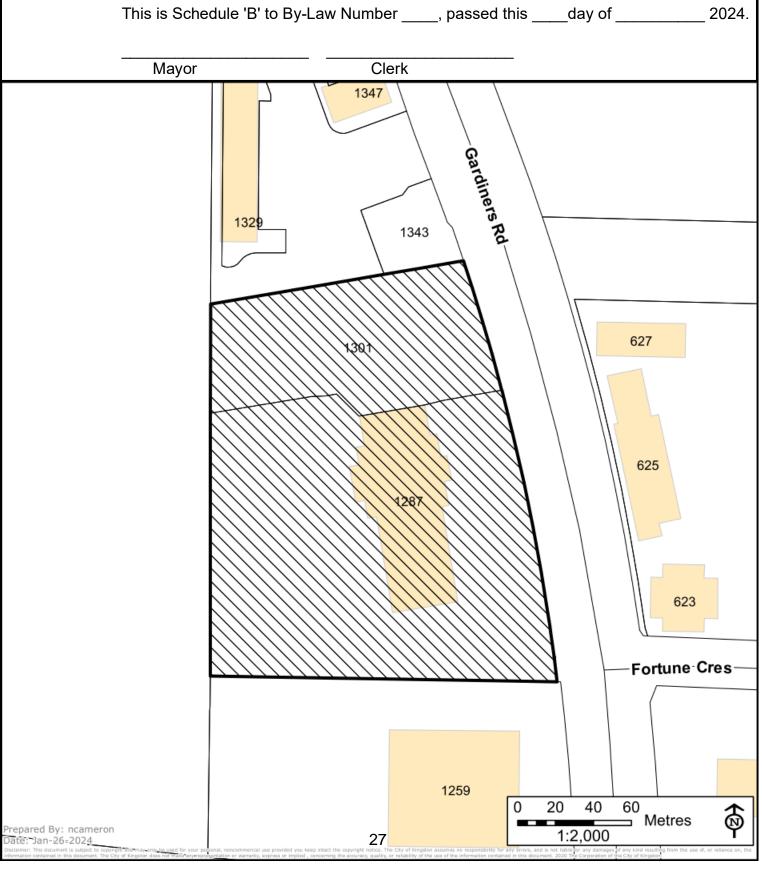
Address: 1287 and 1301 Gardiners Rd

File Number: D01-003-2024

Kingston Zoning By-Law 2022-62 Schedule F - Holding Overlay

\times Lands to be added as HXXX







Schedule 'C' to By-Law Number

Kingston Zoning By-Law 2022-62 Schedule E - Exception Overlay

Lands to be added as EXXX

Address: 1287 and 1301 Gardiners Rd

File Number: D01-003-2024

Certificate of Authentication

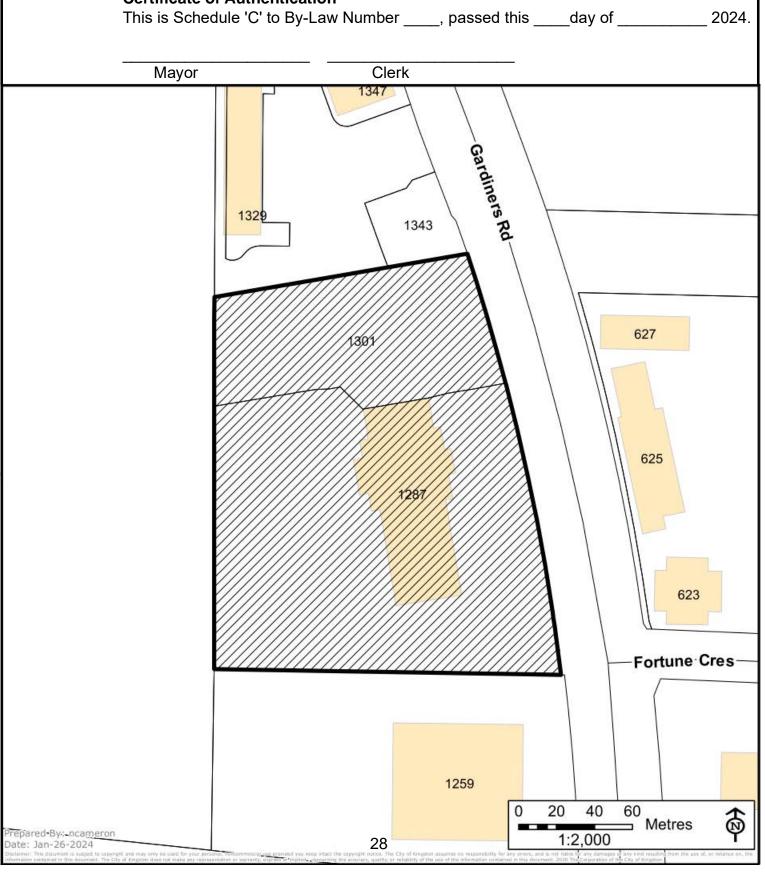


Exhibit B Report Number PC-24-022 City of Kingston Birchwood Dr Sierra Ave Resource Rd Fortune Cres **Key Map** KINGSTON Address: 1287 and 1301 Gardiners Rd File Number: D01-003-2024 Midland Ave **Planning** Prepared On: Jan-26-2024 Services Subject Lands 1329 1343 Gardiners Rd 627 1301 625 1287 10 20 30 1:1,500 Metres Prepared By: ncameron Date: Jan-26-2024 29



City of Kingston

Neighbourhood Context

Address: 1287 and 1301 Gardiners Rd

File Number: D01-003-2024 Prepared On: Jan-26-2024

Subject Lands
Property Boundaries
Proposed Parcels





City of Kingston

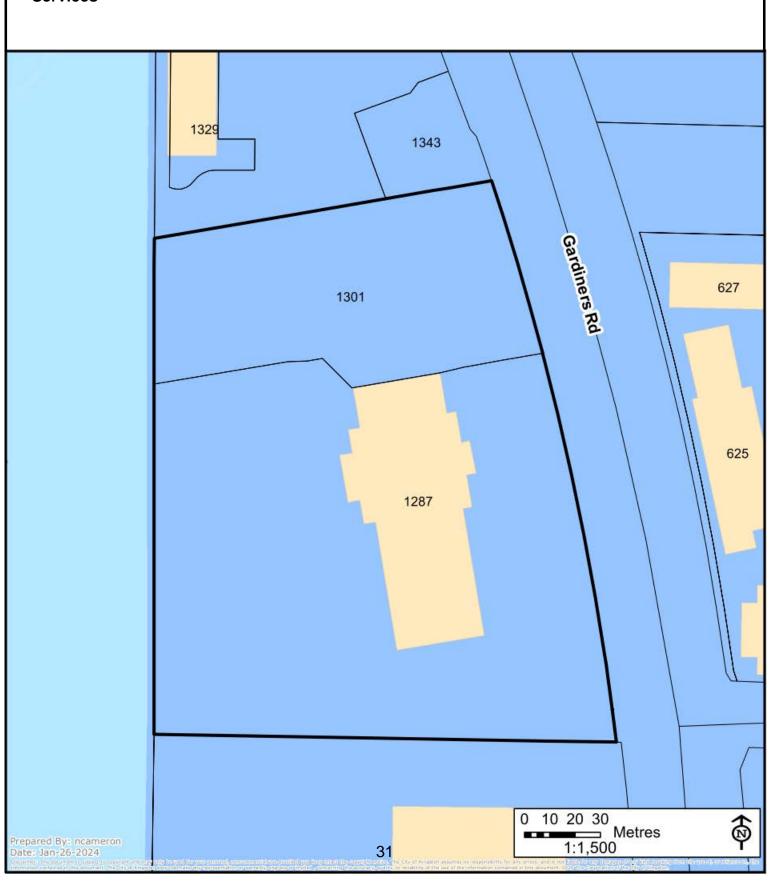
Official Plan, Existing Land Use

Address: 1287 and 1301 Gardiners Rd

File Number: D01-003-2024 Prepared On: Jan-26-2024 Subject Lands

BUSINESS PARK INDUSTRIAL

GENERAL INDUSTRIAL





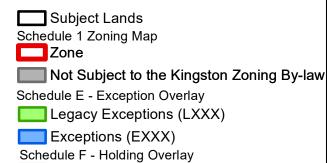
Planning Committee

Existing Zoning Kingston Zoning By-Law 2022-62

Planning Services

Address: 1287 and 1301 Gardiners Rd

File Number: D01-003-2024 Prepared On: Jan-26-2024



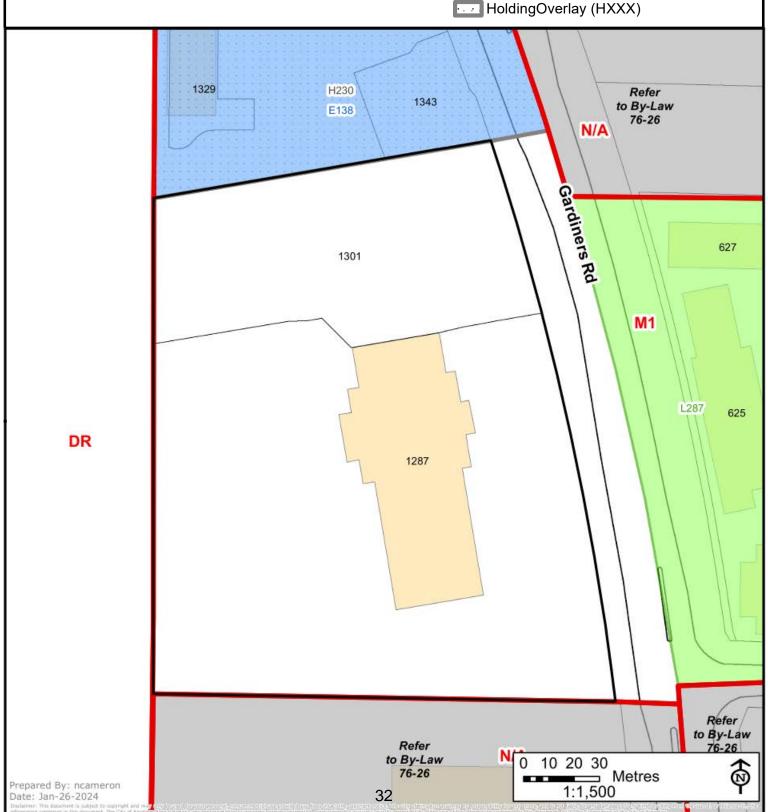


Exhibit B Report Number PC-24-022

KINGSTON **Planning**

City of Kingston

Public Notice Notification Map

Address: 1287 and 1301 Gardiners

Rd

File Number: D01-003-2024 Prepared On: Jan-26-2024

120m Public Notification Boundary

Subject Lands

Property Boundaries

12 Properties in Receipt of Notice (MPAC)

