



**City of Kingston
Planning Committee
Meeting Number 20-2023
Agenda**

**Thursday, November 16, 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 M^cLaren, Chair
Councillor Chaves
Councillor Cinanni
Councillor Glenn
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 planning applications in a public forum as detailed in the community meeting report. This report does not contain a staff recommendation and therefore no decisions will be made this evening. Each application in the community meeting report will be presented individually and following each presentation by the applicant, 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.

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.

The Report of the Commissioner of Growth & Development Services (PC-23-046) is attached.

Schedule Pages 1 – 4

Details of the development proposals to be presented at the Community Meeting are listed below.

Exhibit A

File Number: D14-016-2020

Address: 835-859 Princess Street and 290 Concession Street

Owner: Kenlar Investment Inc.

Applicant: Kenlar Investment Inc.

Schedule Pages: 5 – 36

1. Meeting to Order

2. Approval of the Agenda

3. Confirmation of Minutes

- a) **That** the minutes of Planning Committee Meeting Number 18-2023, held Thursday, October 26, 2023 and the minutes of Planning Committee Meeting Number 19-2023, held Wednesday, November 1, 2023, be approved.

4. Disclosure of Pecuniary Interest

5. Delegations

6. Briefings

7. Business

- a) **Subject: Recommendation Report**

File Number: D14-006-2023

Address: 214 Concession Street

District: District 9 – Williamsville

Application: Zoning By-Law Amendment

Owner: Rusty Land Holdings Ltd.

Applicant: Fotenn – Alex Cleave

The Report of the Commissioner of Growth & Development Services (PC-23-044) is attached.

Schedule Pages 37 – 79

Recommendation:

That the Planning Committee recommends to Council:

That the application for a zoning by-law amendment (File Number D14-006-2023) submitted by Fotenn – Alex Cleave, on behalf of Rusty Land Holdings Ltd, for the property municipally known as 214 Concession 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-23-044; 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: D14-011-2023

Address: 3525 Burnt Hills Road

District: District 1 – Countryside

Application: Zoning By-Law Amendment

Owner: John Dunbar Estate

Applicant: Arcadis Professional Services (Canada) Inc.

The Report of the Commissioner of Growth & Development Services (PC-23-045) is attached.

Schedule Pages 80 – 173

Recommendation:

That the Planning Committee recommends to Council on November 21, 2023:

That the application for a zoning by-law amendment (File Number D14-011-2023) submitted by Arcadis Professional Services (Canada) Inc., on behalf of John Dunbar Estate, for the property municipally known as 3525 Burnt Hills 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-23-045; 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.

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 7, 2023 at 6:00 p.m.

13. Adjournment

1. Approved Site Plan Items:

- D11-046-2020 – 870 Centennial Drive
- 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
- D11-025-2022 – 801 Development Drive

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 being presented to the OLT at November 22, 2023 meeting.
3. 1533 McAdoos Lane – Site Plan Control – Appeal record submitted to the OLT.

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>