



**City of Kingston  
Planning Committee  
Meeting Number 05-2024  
Minutes**

**Thursday, February 15, 2024 at 6:00 p.m.  
Hosted at City Hall in Council Chamber**

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**Committee Members Present**

Councillor Cinanni, Chair  
Councillor Chaves  
Councillor Glenn  
Councillor McLaren (left the meeting at 7:45 p.m.)  
Councillor Oosterhof  
Councillor Osanic

**Regrets**

There were none.

**Staff Members Present**

Sukriti Agarwal, Manager, Policy Planning  
James Bar, Manager, Development Approvals  
Laura Flaherty, Project Manager, Planning  
Christine O'Connor, Committee Clerk  
Tim Park, Director, Planning  
Iain Sullivan, Committee Clerk

**Other 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 public and community meetings and reviewed the order of proceedings to clarify the speaking order for each public meeting.

### **Community Meeting**

The Chair called the Community Meeting regarding the Proposed Housing and Administrative Amendments to order at 6:02 p.m.

#### **a) File Number: D01-002-2024**

##### **Proposed Housing and Administrative Amendments**

Ms. Flaherty conducted a PowerPoint presentation regarding the Proposed Housing and Administrative Amendments Report. A copy of the presentation is available upon request through the City Clerk's Department.

Robert MacInnes, Sydenham Street, stated that a six-storey development is not in character with the area. He expressed concern for the tree canopy in the area and its impact on reducing the heat levels in the city. He stated that by his calculations, only 60 units would be created with the funding being provided based on the amendments. He noted that many landlords in the area have not replanted trees due to the maintenance required. He stated that a maximum height of three to four storeys should be the consideration.

Laura Knapp, 79 William Street, representing the Sydenham District Association (SDA), stated that there is an obligation to carefully consider how housing is being built. She noted that the Canada Mortgage and Housing Corporation has created a process that is difficult to engage in from the outset. She expressed concern on behalf of the SDA regarding major changes not being given the usual time for consideration, limiting the ability to achieve adequate public consultation. She asked what type of residences would be built on Queen's University-owned land. She pointed out the use of rear-yards in the Queen's area for parking rather than greenspace due to the parking limitations that intensified housing has created. She asked if staff could estimate how many affordable units could be created with the funding. She asked if the City knows how many units are forecasted to be achieved within a ten-year timeframe.

Brent Bellamy, 397 Brock Street, stated that he works with Science 44 Co-operative Incorporated. He noted that the organization is an independent, non-profit housing cooperative that has provided affordable housing for Queen's, Royal Military College,

and St. Lawrence College students since 1941. He added that the organization has been looking to expand through intensification for several years. He highlighted that the expansion of four to six storeys would make a significant difference in the number of units the co-operative could add.

Eric, member of the public, noted that the Proposed Housing and Administrative Amendments include institutions and commercial spaces. He added that the Prison for Women has evolved over many decades and asked why this institution has not been considered for housing the homeless.

Craig Samuel, 25 Park Street, stated that an affordable unit should be geared to income for someone on lower income or a fixed income. He asked what the definition of affordable housing is.

Kathleen O'Hara, 91 King Street East, asked why the planning processes are being rushed. She noted that the areas of focus for the Proposed Housing and Administrative Amendments are in some cases historic neighbourhoods where there is a sense of community. She added that she participated in the North Kingston Secondary Plan Working Group meeting and stated that while there has only been one meeting for that working group, that area would be better suited for development.

Martha Vosper, 194 Johnson Street, Chair of the SDA, asked if the new permissions for mobile homes would allow parking and renting of mobile homes on any residential property. She asked what the shift from low density to low-rise, mid-rise, and high-rise would mean for built form. She expressed concern for the beauty and heritage of the Sydenham District and especially for the tree canopy.

Corey-Hugh Shuldman, 267 Queen Street, provided examples of how the current City of Kingston by-laws impact his ability to provide more rental units to the market. He commented that the path to approval for homeowners to add units is not supportive. He expressed support for the consideration of the amendments. He asked how a holding overlay would be applied to four-unit buildings that are existing but not recognized as having four units.

In response to public comments, Mr. Park stated that many of the questions regarding costing are not addressable at this time. He added that determining the allocation of the funding is a corporate-wide project.

Ms. Flaherty addressed the questions regarding institutional and workforce housing. She stated that the majority of Queen's University campus and a number of their properties are zoned as institutional. She noted that there are existing residential permissions on those properties with specific built form requirements that apply. She

added that if Queen's University owns residential properties that they wish to rezone to institutional, they would be required to apply for a zoning by-law amendment. She explained that there are currently limitations for the area that is permitted for parking lot use with low-rise forms of housing. She noted that this limitation was implemented in April 2022, so some properties would have established parking lots in the rear-yard prior to that. In response to Mr. Samuel's question regarding affordable housing, Ms. Flaherty stated that the proposed amendments are to align with recent changes the Provincial Government made to the Development Charges Act. She explained that the definition for affordable housing will be based on an income identified as approximately the 60<sup>th</sup> percentile of income within a given area. She added that the threshold for affordable housing in Kingston is still to be announced by the Provincial Government. In response to Ms. O'Hara, Ms. Flaherty confirmed that mobile homes could be parked on residential property meeting the performance standards required. She noted that the shift from low density to low-rise built form is to remove a numerical density range out of the definition of built-form, as density is not connected to built-form in the relevant policies.

In response to the comments from Mr. Hugh-Shuldman, Ms. Flaherty stated that Planning Staff could look at modifying the by-law to correct any oversight regarding fencing requirements in the case of detached accessory houses accessed from laneways. She confirmed that the holding overlay is currently proposed to apply to any fourth unit and added that Planning Staff could consult with the Building Department regarding the legalization of existing units that are not currently legal.

Mr. Bar provided a general update regarding the Prison for Women's property, noting that Queen's University no longer owns the site, and it is undergoing a planning approval process to develop the lands for residential use.

Ms. Agarwal stated that the next meeting of the North King's Town Working Group is scheduled for a date in March and added that the Working Group had met twice in 2023. She highlighted that many of the sites in North King's Town are undergoing review but noted that many of the sites in this area are formal industrial properties that are contaminated.

The Chair provided Committee Members with the opportunity to ask questions.

Councillor Glenn asked why there are so many changes being considered and about the purpose of these changes. She asked if these amendments are required to meet the targets for number of units created. Ms. Flaherty stated that the overarching intent is to ensure there are planning policies in the Official Plan and Zoning By-Law that are supportive of the creation of new housing. Mr. Park stated that the initiatives introduced

are options for consideration. He highlighted that ultimately the goal is to meet the housing target, and these initiatives provide options to meet that target.

Councillor Glenn asked for clarification on the definitions for density and building type. She expressed concern for the clarity of the proposed definitions for categorizing housing levels. Ms. Flaherty provided examples of building types and clarified how that differs from density. She noted that the official plan directly links building type with density, despite there being many cases where this is not accurate.

Councillor Glenn asked if consideration had been given to not applying the four residential unit standard across the whole City. She asked how this standard would be encouraged in areas outside of Kingston's downtown. She noted that the plan proposes expansion to four units in addition to institutional housing in the Sydenham District. She asked if consideration had been given to balancing development across the City. Ms. Flaherty stated that the commissions for four units apply to low-rise residential areas. She explained that the proposed amendments support multi-unit residential along express transit routes across the city.

Councillor Glenn asked how many potential units are estimated with the upper zoning in the campus expansion area. She asked how trees in the area can be preserved with the upzoning in the area. She expressed further concern for a shift to using email notices in place of newspaper notices to provide planning information. Ms. Flaherty stated that approximately 1000 new units could be anticipated. She added that trees in the area would be reviewed from a Tree By-law and Development perspective.

Councillor Osanic reiterated the concerns regarding email notices in place of newspaper notices for public information. She expressed concern for the tree canopy in expanding permission to allow for fourth units. She asked whether it is possible for the City to only allow fourth units on a property if no trees will be affected. Mr. Bar explained that the City does not have the ability to do conditional zoning on a site but added that there may be an opportunity with minor variance applications to write conditions in.

Councillor Oosterhof asked what guidelines the City has been given for using the \$27 million in funding. He asked for consideration to be given to housing in rural Kingston and funding allocated for that purpose. He asked what cases a site plan will not be required, and what protections and oversight the City will have in such cases. Mr. Park stated that the guidelines that have been provided have not been very clear which has posed a challenge in determining how the money is allocated. Mr. Bar stated that this change would apply to buildings with 11 or more units. He noted that staff are trying to craft zoning provisions to capture elements that would typically be reviewed before site plan control would occur.

Councillor Oosterhof asked what the expansion of units would mean for the rural area. Mr. Bar stated that the opportunity for expansion for additional units in a rural area is currently in the zoning by-law. He clarified that rural properties can have an additional unit inside their main building as well as a detached accessory building. He noted that ensuring the new units are adequately serviced is the main issue with expansion in rural and added that staff continue to work with rural residents to determine what is appropriate.

Councillor Chaves asked for confirmation that garages being converted to units would require a kitchen and washroom. He asked if the proposed changes to the public engagement process would be in addition to the current process. He further asked whether the 1.1-metre-wide walkway amendment would meet requirements under the Accessibility for Ontarians with Disabilities Act (AODA). Ms. Flaherty confirmed that a dwelling unit must have a kitchen and washroom. Ms. Flaherty explained that the intent is to enhance the existing notice process by providing additional opportunities in the future. She noted that the zoning by-law requires a 1.2 metre-wide walkway to residential units, while the Ontario Building Code requires a 1.1 metre-wide walkway. She stated that the Ontario Building Code is what applies when reviewing a building permit.

Councillor Cinanni asked if it would be possible for the City of Kingston Waste App to be used to send notices to the public. Ms. Flaherty noted that under the Planning Act there are specific statutory requirements that must be complied with when sending out notices. She stated that staff would have to consult internally to identify how data is collected on the app to determine if the information can be used appropriately. The Chair asked for confirmation that a motor home could not be parked on a property as a mobile home. Ms. Flaherty confirmed that motor homes are not considered a dwelling unit and could not be used as such under the zoning by-law.

Moved by Councillor Glenn

Seconded by Councillor Chaves

**That** Section 14.7 of the Council Procedure By-Law be waived to allow each Councillor an additional 5 minutes to speak.

**Carried**

Councillor Glenn asked if a cost-benefit analysis could be done to determine the impact of the loss of trees for development. She further asked if staff has considered ways to incentivize institutional housing. Mr. Park stated that a detailed study to determine figures on this would be a vast exercise. Ms. Agarwal added that a study on intensification and tree removal was completed by staff and presented to the previous

council and could be shared with the Committee. She added that institutional housing is especially important for the Sydenham District where student housing is a primary pressure. Ms. Flaherty stated that she does not have anything to propose at this time but added that staff would note this for consideration.

Councillor Glenn asked if there are any anticipated unintended consequences with the changes to red zones. Ms. Flaherty stated that the approach staff are taking is to maintain existing permissions for the red zones and deal with them more holistically once the Official Plan project is in effect.

The Committee recessed from 8:03 p.m. to 8:13 p.m.

The Chair adjourned the Community Meeting at 8:15 p.m.

### **Meeting to Order**

The Chair called the meeting to order at 8:15 p.m.

### **Approval of the Agenda**

Moved by Councillor Chaves  
Seconded by Councillor Osanic

**That** the agenda be approved.

**Carried**

### **Confirmation of Minutes**

Moved by Councillor Osanic  
Seconded by Councillor Glenn

**That** the minutes of Planning Committee Meeting Number 04-2024, held Thursday, February 1, 2024, be approved.

**Carried**

### **Disclosure of Pecuniary Interest**

There were none.

### **Delegations**

There were none.

## **Briefings**

There were none.

## **Business**

- a) **Subject: Supplemental Report**  
**File Number: D35-004-2022**  
**Address: 2312 Princess Street**  
**District: District 2 – Loyalist-Cataraqui**  
**Application Type: Official Plan & Zoning By-Law Amendment**  
**Owner: 2312 Princess Street Inc.**  
**Applicant: Patry Inc.**

Mr. Bar provided an overview of the technical matters related to the report.

There were no questions from the Committee.

There were no questions from the public.

Moved by Councillor Chaves

Seconded by Councillor Oosterhof

**That** the Planning Committee recommend to Council:

**That** the following recommendation in Report Number PC-24-010, Official Plan & Zoning By-Law Amendment – 2312 Princess Street, be referred back to Planning Committee for consideration at a Planning Committee meeting not later than May 16, 2024:

**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; and

**That** staff be directed to provide a supplementary report at a Planning Committee meeting not later than May 16, 2024, providing details the revised proposal.

**Carried**

**b) 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.**

**Note:** Business Item a) was heard prior to Item b).

**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.

**Withdrawn**

**Motions**

There were none.

**Notices of Motion**

There were none.

**Other Business**

There was none.

**Correspondence**

There was none.

**Date and time of Next Meeting**

The next meeting of the Planning Committee is scheduled for Thursday, March 7, 2024 at 6:00 p.m.

**Adjournment**

Moved by Councillor Osanic  
Seconded by Councillor Glenn

**That** the meeting of the Planning Committee adjourn at 8:19 p.m.

**Carried**