



**City of Kingston
Planning Committee
Meeting Number 08-2024
Minutes**

**Thursday, April 4, 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 M^cLaren

Staff Members Present

James Bar, Manager, Development Approvals
Chris Booth, Senior Planner
Ian Clendening, Senior Planner
Mark Dickson, Manager, Transportation Infrastructure
Amy Didrikson, Senior Planner
Garret Hoegi, Manager, Development Engineering
Jenna Morley, Counsel for the City of Kingston
Christine O'Connor, Committee Clerk
Tim Park, Director, Planning Services
Ian Semple, Director, Transport & Transit
Iain Sullivan, Committee Clerk
Alexis Vienneau, Associate Legal Counsel

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 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 development proposal at 61 Hyperion Court to order at 6:02 p.m.

a) File Number: D01-004-2024

Address: 61 Hyperion Court

Owner: Caraco Group of Companies

Applicant: Fotenn Consultants Inc.

Miles Weekes, Agent for the Applicant, conducted a presentation regarding the development proposal at 61 Hyperion Court. A copy of the presentation is available upon request through the City Clerk's Department.

Kelli Siegwart, 462 College Street, expressed support for the amendment. She noted that she was representing the Community Midwives of Kingston and added that they are very interested in renting this space to use for their practice.

There were no questions from the Committee.

The Chair adjourned the Community Meeting at 6:09 p.m.

Meeting to Order

The Chair called the meeting to order at 6:09 p.m.

Approval of the Agenda

Moved by Councillor Glenn
Seconded by Councillor Osanic

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

Carried

Confirmation of Minutes

Moved by Councillor Osanic
Seconded by Councillor Chaves

That the minutes of Planning Committee Meeting Number 07-2024, held on Thursday, March 21, 2024, be approved.

Carried

Disclosure of Pecuniary Interest

There were none.

Delegations

There were none.

Briefings

There were none.

Business

- a) **Subject: Recommendation Report**
File Number: D14-007-2023
Address: 47 – 67 Village Drive
District: District 11 – King’s Town
Application Type: Zoning By-Law Amendment
Owner: Skyline Real Estate Holdings
Applicant: SkyDevco Inc. and Fotenn Consultants Inc.

Mr. Booth conducted a PowerPoint presentation regarding the Application for Zoning By-Law Amendment at 47 – 67 Village Drive. A copy of the presentation is available upon request through the City Clerk's Department.

Councillor Chaves asked for confirmation that a community garden is an option as part of the application. He asked if there would be pollinator and wildlife friendly vegetation planted. He further asked if a green roof policy would be considered. Mr. Booth confirmed that the applicant plans to maintain the existing community garden and potentially enlarge this garden with the addition of tenants. He added that the applicant has noted there is an opportunity for planter beds to be placed on the roof and that pollinator and wildlife friendly vegetation will be explored. He stated that the applicant is considering installing solar panels on the roof which would restrict their ability to install a green roof.

Councillor Osanic expressed support that the proposal is for apartment rentals.

Councillor Glenn echoed Councillor Osanic's comments and stated that this change will allow for a better use of the land.

Moved by Councillor Chaves

Seconded by Councillor Glenn

That the Planning Committee recommends to Council:

That the application for a zoning by-law amendment (File Number D14-007-2023) submitted by SkyDevco Inc. and Fotenn Consultants Inc., on behalf of Skyline Real Estate Holdings, for the property municipally known as 47-67 Village Drive, 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-24-019; 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.

Carried

b) Subject: Recommendation Report

File Number: D35-001-2024

Address: 2360 Princess Street

District: District 2 – Loyalist – Cataraqui

Application Type: Official Plan & Zoning By-Law Amendment

Owner: La Salle Motel Co. (Kingston)

Applicant: Fotenn Consultants Inc.

Mr. Clendening conducted a PowerPoint presentation regarding the Application for the Official Plan & Zoning By-Law Amendment at 2360 Princess Street. A copy of the presentation is available upon request through the City Clerk's Department.

Councillor Chaves asked for the definition of affordable housing being used by the applicant. He asked if all units would be bachelor apartments. Mr. Clendening explained that the definition being used is the Canada Mortgage and Housing Corporation (CMHC) definition, which bases its subsidies for affordable housing on 30% of the median renter income. He noted that the median renter income in Kingston is \$52,500, meaning that \$1300 per month is considered affordable. Mr. Huanh stated that under the application it is their plan to provide 25% of the units as affordable units. He added that the rent would remain the same for the next 10 years. He confirmed that all units would be bachelor apartments.

Councillor Chaves stated that he does not consider this amount to be affordable. Mr. Huanh noted that through survey responses received from the community there is a high interest in renting at this rate from seniors and new graduates. Mr. Weekes, Agent for the Applicant, reiterated that the definition for affordability being used is defined by the CMHC. He added that this is a partially affordable housing project and that prices differ amongst affordable housing developments.

Councillor Chaves asked if the greenspace on the property could be used for a park. Mr. Weekes stated that the possibility of a park has not yet been discussed with staff. Mr. Park added that the opportunity for a park could be considered at a later time. Mr. Huanh explained that consideration has been given to maintaining the green space for public use that would be maintained by the company.

Councillor Oosterhof asked if there would be a limit of one person per unit. He asked if relief would be sought for density and if the rent is all-inclusive. He asked for reiteration of the percentage of units that would be affordable. Mr. Clendening noted that the Planning Act cannot regulate the number of people who live in each unit. Mr.

Clendening confirmed that this application is for the existing buildings only. He added that any further development would require a standard density. Mr. Huanh reiterated that 25% of the units would be locked into the affordable pricing for the next 10 years. He added that this is phase one of a two phase project and that they are looking to remodel the current building for affordable housing while working with a consultant to determine the best use of the land in further development.

Councillor Glenn asked how quickly the units would be available for rent. Mr. Huanh stated that the goal is to repurpose all units within six to eight months after site plan approval. He suggested the units would be available within a year.

The Chair afforded members of the public an opportunity to speak.

Susan Birrell, 210 Ellesmeer Avenue, asked if the property would be owner operated. She expressed concern for the additional stress at a very busy intersection.

Joel Thompson, 882 Clearfield Crescent, stated that the rental amount was very reasonable considering the comparable rates. He noted the impact the application will have for the community as it will allow interested seniors to move to smaller units and the impact this could have on the availability of single-family homes. He thanked the applicant for bringing the project forward.

Kelly Gill, 224 Ellesmeer Avenue, expressed concern about the traffic in the area. She asked how long phase one is expected to last. She expressed concern for the speed on Princess Street. She recommended the owners enhance the site using landscaping.

Theresa Mitchell, 557 Sycamore Street, noted that many of the individuals expressing interest in the project are seniors and cautioned that concerns regarding traffic may be overestimated. She asked if all units would be all-inclusive or if this was solely for the affordable units. She expressed support for the project.

Natalie Larin, 273 Ellesmeer Avenue, asked for confirmation that this is affordable housing and not transitional housing.

Councillor Oosterhof raised a point of order, noting that previous comments from the public were not within the mandate of the Planning Committee.

Councillor Glenn asked the Chair if the matters within the purview of Planning Committee could be outlined.

The Chair stated that Planning Committee considers the zoning of property and property use but cannot not consider who is occupying the building. Mr. Park confirmed that Planning Department staff could respond to public concerns in an appropriate way.

Mike Gallant, 218 Ellesmeer Avenue, stated that the exterior of the building is not appealing and needs repair. He noted the applicant's plans to do interior renovations to accommodate affordable housing but highlighted that there are areas on the exterior that need attention.

Suzanne Dostaler, 270 Ellesmeer Avenir, asked if the DASH record is up to date as it shows apartments and condos. She asked for clarification on whether there would be condos for purchase in the development.

In response public comments, Mr. Clendening confirmed that the proposal is for 107 homes, 40 of which would be defined by the Zoning By-Law as townhouses. The remaining units would be dwelling units in a mixed-use building. He noted that the applicant did submit a traffic brief that will be augmented with a full impact traffic study. He added that the traffic brief indicates a marginal increase in traffic volume and stated that the unit size and nature of the location of the site encourage public transit and active transportation. Mr. Park noted that under the Planning Act and Zoning By-Law, zoning cannot be done for tenure or income levels. He added that affordable housing is required across all income thresholds but noted that the CMHC definition of affordable for this project is intended for moderate-income working households. He explained that the City has no control over who resides in a building.

In response to public comments, Mr. Weekes stated that the site will be owner-operated with a maintenance team on-site. He added that there are no immediate plans for façade improvements but noted that ownership is budgeting for those improvements in the future. He explained that the current priority is placed on the safety of the units. He stated that there are no proposed changes to the landscape but added that the property manager will ensure the current landscape is maintained. He further stated that there is no commitment to timing for each phase of the project. He confirmed that the purpose of the development is to create rental units and that there will be no condominiums. Mr. Huanh added that the purpose of the development is to address affordability for working residents. He noted that there will be 24-hour security on-site and that the 25% of units that are affordable will be all inclusive, while the other units will not be.

Councillor Osanic asked why this application had not come before the Committee for a Community Meeting. Mr. Park stated that the Planning Staff brought the report forward as it was a combined report with conversion occurring within an existing building. He added that there were no additions to the building within the application and that with the need for affordable housing staff felt it was appropriate to bring the recommendation to one meeting.

Councillor Oosterhof stated that the public has had a chance to speak and the scope of the project is not invasive. He noted that a one-month deferral is a long time for developers to wait.

The Chair was passed to Councillor Glenn.

Councillor Cinanni asked if deferral would impact the chance of receiving funding from the CMHC. Mr. Huanh confirmed that the deferral would result in having to reapply for funding through the CMHC which would delay the project roughly six months.

The Chair was returned.

Councillor Glenn asked for recognition of the housing crisis that is occurring. She stated that this application represents an appropriate use of the space.

Councillor Osanic asked if the lack of signage was an oversight or if this was a change in policy. She asked whether signage was a responsibility of the applicant or of City staff. Mr. Clendening explained that this is the responsibility of the applicant and added that it was an oversight that would be communicated more clearly with applicants in the future as the City of Kingston has more extensive public notification than required by the Planning Act and by other municipalities.

Moved by Councillor Osanic

Seconded by Councillor Chaves

That the Planning Committee recommends to Council:

That the applications for Official Plan and zoning by-law amendments (File Number D35-001-2024) submitted by Fotenn Consultants Inc., on behalf of La Salle Motel Co. (Kingston), for the property municipally known as 2360 Princess Street, be approved; and

That the City of Kingston Official Plan, as amended, be further amended, amendment number 93, as per Exhibit A, (Draft By-Law and Schedule A to Amend the Official Plan) to Report Number PC-24-026; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit B (Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62) to Report Number PC-24-026; 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

Carried

Moved by Councillor Chaves
Seconded by Councillor Osanic

That the application for Official Plan and zoning by-law amendments (File Number D35-001-2024) submitted by Fotenn Consultants Inc., on behalf of La Salle Motel Co. (Kingston), for the property municipally known as 2360 Princess Street, be deferred to the Planning Committee Meeting scheduled May 30, 2024, to allow for additional public consultation.

Lost

- c) Subject: Recommendation Report**
File Number: D35-014-2021
Address: 4085, 4091 and 4097 Bath Road
District: District 3 – Collins – Bayridge
Application Type: Official Plan & Zoning By-Law Amendment
Owner: Frances H. Day, Clark Day, and Robert R. Kennedy
Applicant: Armitage Homes Ltd. and Arcadis

Ms. Didrikson conducted a PowerPoint presentation regarding the Official Plan & Zoning By-Law Amendment for 4085, 4091 and 4097 Bath Road. This presentation is available upon request through the City Clerk's Department.

Councillor Osanic asked about the heritage impact study, noting that a minimum recommendation of a five-metre setback from the mill race is stated. She added that a minimum of 10 metres is normally applied and asked what the rationale for a five-metre setback would be. She further inquired into why the heritage impact statement was not peer-reviewed. Ms. Didrikson stated that the setback distance was determined by the heritage consultant and agreed upon by the Province and City Heritage Services staff. Mark Gladysz, Consultant with Heritagedowntowns, stated that the setback amount was determined after extensive consultation with the Ministry and City staff. Ms. Didrikson stated that Heritage Services staff did not request the peer review process and Ms. Robidoux confirmed that Heritage Service staff found that the peer review process was not required in this case.

Councillor Osanic asked if there was any consultation with the Indigenous community. She asked if there could be a solid fence installed to prevent building in the 50-metre buffer. She further requested that no trails be built within the 50-metre buffer. Mr. Park stated that consultation with the Indigenous community is something that is beginning on properties but noted that this development is private and is not under the same obligation to consult with the Indigenous community. Ms. Didrikson explained that fencing details would be addressed in the site plan control phase. She confirmed that the open space buffer would permit conservation use only and would not allow for recreational use.

Councillor Osanic stated that the Official Plan calls for green infrastructure and asked what green infrastructure would be included in this area. Ms. Didrikson noted that swales are considered green infrastructure. Mr. Park added that the additional 20 metres that was added to the buffer zone as well as the stormwater holding tanks would constitute green infrastructure.

Councillor Osanic asked if there would be electrical vehicle charging stations. She asked if the trees in the berm could be maintained and if the park area could be left in its natural state. Nancy Wartman, agent for the applicant, stated that these suggestions would be considered during the site plan control phase. She added that the project engineer was present and that the recommendations have been noted.

Councillor Osanic highlighted that the stormwater management will be a swale going through the 50-metre buffer. She asked if the pipe of the swale would go straight across the buffer or if it would zig-zag through the area. Mr. Josselyn stated that the area would be narrow and the route could be selected based on the least amount of impact on the area.

Councillor Osanic asked if the Environmental Impact Study (EIS) would be chosen by staff or if the applicant's company would produce this study. Mr. Josselyn confirmed that their company would conduct the study.

Councillor Osanic asked if the traffic impact study took into consideration the buildings along Bath Road as they exist at present, noting Edith Rankin Church, Bella Bistro, and the boat launch. Kastel Prince, Senior Traffic Engineer, confirmed that a traffic impact study was conducted on January 11, 2024, taking into account the listed buildings. Councillor Osanic asked how traffic from the boat launch would be projected in January. Mr. Prince stated that the traffic impact study took all traffic along Bath Road at the time of the study into account with consideration for any growth from the development.

Councillor Chaves asked if there would be a barrier fence high enough to prevent debris from flying into the conservation area. He asked if traffic calming measures would be

explored due to the elementary school in close proximity to the site. He asked if there would be a park with equipment for residents in the area. Ms. Didrikson reiterated that fencing would be addressed in the site plan control stage. She confirmed that traffic calming measures would be explored and stated that there would be a private park on-site for resident use. She added that the applicant would be providing cash-in-lieu of parkland.

Councillor Oosterhof asked what efforts would be made to preserve as many trees as possible. Ms. Didrikson stated that Forestry staff are very interested in reviewing the tree preservation plan. She stated that preservation of the urban canopy is a priority and protection would be sought wherever possible as part of the future designs.

Marinus Sorenson, 981 Victoria Street, noted that there are significant fish run rapids and mature growth forest in the area. He added that the biodiversity of the area has served as an important food source. He expressed concern for the archaeological significance of the site and the lack of available documentation noting the fish run rapids. He asked if the archaeological study is available to the public and what types of surveys were conducted in the area. He noted that a tree impact study was conducted but that several tree species found in the area were not listed. He added that pledge number 15 of the Montreal Pledge on Biodiversity that the City just signed commits that equitable consultation and decision-making with Indigenous and local communities is done.

Robert MacInnes, Sydenham Street, presented images to the Committee. He noted the lack of forests in the urban areas of Kingston. He added that the forest on this site may be one of the least likely to be lost in a forest fire. He stated that natural heritage belongs to everyone and must be protected. He noted a City map outlining a wetland and bio-corridor going through the site. He stated that biologists highlight that corridors for wildlife to move through are exceedingly important to maintaining biodiversity. He outlined the site area and the density of the mature trees within the site that must be preserved.

Bill Campbell, 1467 Tamarack Street, agreed with the need for affordable housing in Kingston but expressed concern for the traffic impact study for this application. He stated that the study does not accurately reflect the magnitude of the traffic that will occur and that it does not provide an explanation for approval. He added that the study does not address basic features of the neighbourhood, such as the hundreds of vehicles that will pass by Collins Bay Public School.

Jack Dick, 558 Rankin Crescent, stated that much of the water in the area disappears during the low-flow to no-flow season of the year. He added that most of the planned

high-density houses for this site would drain water into the lots of 4094 & 4090 Bath Road, and over the boat launch. He asked how much of the limestone will create sinkholes in the area with such a heavy flow of water. He noted that the river is a highly used and appreciated place and that any excavation in the area would have an impact on it. He expressed concern for the implementation of a traffic light near the school as people may speed through yellow lights directly into the school zone. He asked if there would be enough parking to accommodate the number of dwellings.

Doug Huddle, 702 Carnaby Street, Trustee with Edith Rankin United Church, expressed concern for increased traffic in the area. He stated that the Church submitted eight reasons why traffic signals should be required, as well as a realignment of Station Street. He suggested that the traffic impact study did not accurately account for traffic in the area. He stated that the study suggested there would be no traffic coming out of the Edith Rankin Church but added that the Church operates seven days a week as a community centre. He asked for consideration of the addition of traffic signals and the realignment of the subdivision.

Greg Anthony, 566 Sycamore Street, asked if there would be provision for an exit ramp in the new subdivision. He expressed support for fencing at the western side of the subdivision for preventing building in the buffer area but added that denial of another trail would be unfortunate. He asked if details that are not available at the time of this meeting would be available to residents in the future.

Stacey Hunt, 4094 Bath Road, shared concerns for traffic and the environment. She expressed concern regarding the impact of excavation on the neighbouring properties and the stream that runs along the east side of the property.

Joel Thompson, 882 Clearfield Crescent, asked if the applicant could confirm what the carbon offset is for the current expected removal of trees. He asked if staff had considered an immediate one-to-one seedling planting rather than cash-in-lieu of trees.

Jason Harris, 580 Rankin Crescent, expressed gratitude for the emphasis Committee Members placed on the public consultation process. He stated his belief that there were missing and incomplete DASH records for this file. He asked questions related to the merits of the proposal that he submitted via correspondence. He further stated his belief that there were missing documents related to the proposal.

Nicholas Stefano, 683 Aylmer Crescent, conducted a PowerPoint presentation regarding the environmental impacts of the development. A copy of the presentation is available upon request through the City Clerk's Department.

Nic Osanic, 599 Rankin Crescent, expressed concern for the traffic along Station Road next to Collins Bay Public School. He noted the limited parking space at the back of the school resulting in school busses waiting along Station Road to enter the parking lot. He added that creating a one-way-in, one-way-out traffic flow on Station Road could cause vehicles to pass parked buses, creating blind spots along the road where children may cross into the proposed neighbourhood.

In response to public comments, Ms. Didrikson stated that the Ontario Natural Heritage Reference Manual analysis shows the woodland in the area is contributory. She noted the comments around the archeological studies being unavailable to the public and stated that these studies could be made available through MFIPPA requests.

Mr. Semple explained the standard development process each traffic study must undergo and noted that this application was not an exception. He added that this site is on a roadway that is owned and managed by the Ministry of Transportation (MTO) and therefore it was subject to their review as well. Mr. Dickson stated that the expected number of vehicles in the traffic impact study had been updated in January 2024 to account for growth. He noted that the study was conducted at Bath Road and Station Street and that no specific counts were done at Edith Rankin Church or the boat launch, as traffic coming from these locations would be accounted for at the intersection. He added there was no need for mitigating strategies as the study determined the traffic did not exceed the accepted level of traffic. He explained that school safety concerns would be addressed at the design stage of the development and added that a right turn channel is not required at this point but can be looked at as part of the updated traffic study. He highlighted that there is a requirement that the traffic study must be updated to project a 10-year horizon.

Mr. Prince stated that the traffic analysis seeks to assess the peak volume of the site in conjunction with the highest traffic volume on the road, ultimately considering the worst-case conditions. He noted residents' concerns about traffic from specific buildings along Bath Road but highlighted that traffic coming to and from these locations is captured in the data. He reiterated that safety concerns regarding the public school would be reviewed with staff at the site plan stage.

Ms. Didrikson noted that the tree by-law specifies the compensation for each tree. She explained that the Cataraqui Region Conservation Authority had reviewed the EIS from the natural heritage perspective and that going forward the EIS would be peer-reviewed as the City does not have an expert in-house for this matter.

Mr. Hoegi stated stormwater management undergoes several phases of review during the site plan control process to ensure the design implemented is appropriate for water quality and quantity.

Ms. Didrikson noted that the proposal is not requesting any reductions from the Zoning By-Law for parking. She added that the applicant has requested a reduction in visitor parking and car share rates.

Ms. Robidoux stated that all submission materials are available on DASH from the time at which an application is deemed complete. She added that instructions on how the public can access these materials are included in the mail circulations and notice signage. She noted that all policy analysis of Provincial Planning Framework is included in the staff report for transparency purposes.

Mr. Park added that all professional qualified consultants are listed on page 11 of the staff report. He explained that Planners within the Planning Services Department are professional planners who are guided by the rules and regulations of the Ontario Planning Institute. In response to concerns about the climate emergency, Mr. Park noted that development within the urban boundaries where services are readily available is preferable over building where roads and services would have to be added. He specified that proposal is climate efficient as this is a medium-density development on an under-utilized lot within the urban boundaries. He added that the Public Works Department is working to increase the urban tree coverage.

Mr. Hoegi stated that he could not speak to the consideration of sinkholes at this time and reiterated that geotechnical studies done at later stages of development would consider these concerns.

Mr. Park clarified that this application would be proceeding as a Draft Plan of Condominium and a condominium application. He added that the same studies would be required.

Councillor Osanic stated disapproval of the application as a traffic light or right-hand turn lane had not been considered. She noted that her previous comments on this application regarding preservation of the forest and increased density were not taken into account. She added that proper consideration of traffic from the boat launch has not been given. She further added that she would like to see the forest undergo an independent third-party review. She expressed concern for the stormwater system pipes going through the buffer area.

Councillor Glenn stated concern for the environment and for the state of the proposal after two years. She noted the declining quality of water in the area and the impact of

this quality on the fish population. She added that rules and professional guidelines are followed by staff and that they have done their due diligence on this proposal. She expressed dissatisfaction with the environmental and traffic considerations.

The Chair was passed to Councillor Glenn.

Councillor Cinanni stated concern for preservation of the forest. He asked if replacement trees would be planted in the same area. Ms. Didrikson stated that the preservation and planting plan would be within the area. Mr. Park added that there is a city-wide program to expand the urban forestry canopy in all areas.

Councillor Glenn returned the Chair.

Councillor Oosterhof stated that he was hoping there would be more consideration for the forest in the application. He asked if traffic issues could be corrected in the case that an error was made. Mr. Semple confirmed that transportation changes are always possible but added that any changes to this section of Bath Road would be under the purview of the MTO.

Moved by Councillor Osanic

Seconded by Councillor Chaves

That the Planning Committee recommends to Council:

That the applications for Official Plan and zoning by-law amendments (File Number D35-014-2021) submitted by Armitage Homes Ltd. and Arcadis, on behalf of Frances H. Day, Clark Day, and Robert R. Kennedy, for the property municipally known as 4085, 4091 and 4097 Bath Road, be approved; and

That the City of Kingston Official Plan, as amended, be further amended, as per Exhibit A, (Draft By-Law and Schedule A to Amend the Official Plan) to Report Number PC-24-001; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit B (Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62) to Report Number PC-24-001; 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.

Carried

- d) **Subject: Recommendation Report**
File Number: D14-007-2021 and D12-003-2021
Address: 1291 Midland Avenue
District: District 2 – Loyalist – Cataraqui
Application Type: Zoning By-Law Amendment and Draft Plan Subdivision
Owner: West Empire Developments Ltd.
Applicant: Arcadis Professional Services (Canada) Inc.

Mr. Booth conducted a PowerPoint presentation regarding the Zoning By-Law Amendment and Draft Plan Subdivision for 1291 Midland Avenue. A copy of this presentation is available through the City Clerk's Department.

Councillor Chaves asked if the development would include pollinator-friendly vegetation and wildlife food sources. He asked if landscaping would be done in both the front and rear yards. Councillor Chaves noted that the validity of the traffic impact study was questioned by himself and residents as the study referenced the City of Ottawa. He stated that Midland Park was referenced in the report for this application, adding that it is a busy park and that the addition of this many residents could negatively impact the ability for children to access the play equipment. He asked if a fence would be erected between the town homes and the current homes.

Mr. Booth stated that the landscape architect has confirmed the plan for several different pollinator-friendly species and off-season sources of food for wildlife. He added that the intention is to plant trees in the front yard but noted that residents would be welcome to plant trees in the rear yards. He acknowledged the typo in the traffic impact study but reassured the Committee and residents that the study was relevant to this application within the City of Kingston. He explained that there would be cash-in-lieu of parkland received from the applicant to improve City-owned parks such as Midland Park. He confirmed that a 1.8-metre-high wood fence is proposed for the area.

Councillor Chaves stated that he had received positive comments from residents regarding the plaza and expressed hope that the applicant would maintain this feature. He noted his concern for the setback of the plaza onto a busy intersection. Mr. Booth confirmed that the site incorporates a significant sight triangle.

Councillor Chaves asked if the applicant would consider adding a lattice to the top of the fence. He asked if stormwater irrigation would be installed for this development and further asked if there are green features to the building. Tess Gilchrist, Agent for the Applicant, noted that the applicant does not intend to add a lattice on top of the 1.8 metre fence. She added that the applicant was also not considering stormwater for irrigation or collection at this time. Mr. Booth stated that there are no specific intentions to add green features to the building but noted that apartment buildings are by nature more environmentally friendly than single detached homes.

Councillor Chaves stated that the area is not well serviced by public transit. He asked about the overlook of the building. Mr. Booth explained that there are some balconies on the west and east sides of the building and that the concern may come from the balconies on the west that would overlook existing homes. He noted that the townhouses create a buffer to mitigate overlook from the apartment building into the single-detached homes.

Richard Thompson, 1422 Sierra Avenue, expressed concern for the traffic flow on Tivoli Avenue and Midland Avenue. He noted that three entrances to the development were proposed but added the entrance on the Midland Avenue side was very close to Tivoli Avenue. He expressed support for the development.

John McRury, 1469 Sierra Avenue, expressed concern for a lack of parking. He asked for confirmation on whether the plaza could be a mix of commercial and residential uses. He asked for details regarding the sidewalk leading up to the intersection and reiterated concerns regarding traffic flow onto Midland Avenue.

In response to public comments, Mr. Booth stated that on-street parking along Tivoli Avenue would not be supported by the City. He added that staff are confident enough parking has been supplied on-site. He noted that the garages proposed for the townhouses are standard size. He suggested that the applicant has proposed double the amount of parking space required. With respect to the concern regarding traffic, he noted that the traffic impact study determined a traffic signal is not warranted at this time. He added that infrastructure could be added in the future if necessary. He acknowledged the support for the commercial strip mall and added that if the building switches to mixed-use there could still be commercial uses onsite.

Councillor Chaves reiterated the traffic concerns in the area. He suggested the plaza is the highlight of the development.

Councillor Osanic expressed support for the development and asked that the 129 trees to be planted be kept in good health to best ensure their survivability.

Moved by Councillor Chaves

Seconded by Councillor Oosterhof

That the Planning Committee recommends to Council:

That the applications for zoning by-law amendments and draft plan of subdivision (File Number D14-007-2021 and D12-003-2021) submitted by Arcadis Professional Services (Canada) Inc., on behalf of West Empire Developments Ltd., for the property municipally known as 1291 Midland Avenue, 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-24-020; and

That the draft plan of subdivision be subject to the conditions as per Exhibit B (Draft Plan of Subdivision Conditions) to Report Number PC-24-020; and

That Council authorize the Manager, Development Engineering to approve any off-site works agreement related to the development of the property municipally known as 1291 Midland Avenue; and

That the Mayor and Clerk be authorized to execute any off-site works agreement approved by the Manager, Development Engineering related to the development of the property municipally known as 1291 Midland Avenue in a form satisfactory to the Director of Legal Services and City Solicitor; 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.

Carried

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, April 18, 2024 at 6:00 p.m.

Adjournment

Moved by Councillor Glenn

Seconded by Councillor Osanic

That the meeting of the Planning Committee be adjourned at 10:40 p.m.

Carried