

City of Kingston Planning Committee Meeting Number 12-2024 Agenda

Thursday, May 30, 2024 at 6:00 p.m. Hosted at City Hall in Council Chamber

Please provide regrets to Christine O'Connor, Committee Clerk at 613-546-4291, extension 1219 or cloconnor@cityofkingston.ca

Committee Composition

Councillor Cinanni, Chair Councillor Chaves Councillor Glenn Councillor M°Laren Councillor Oosterhof

Councillor Osanic

The meeting being held is a public meeting held under the Planning Act.

Notice of Collection – Personal information collected as a result of the public meeting 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.

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.

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-24-034) is attached.

Schedule Pages 1 – 25

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

Exhibit A

File Number: D01-008-2024 Address: 1739 Westbrook Road Owner: Propane Levac Propane Inc.

Applicant: Asterisk Engineering Corporation

Schedule Pages: 1 - 25

- 1. Meeting to Order
- 2. Approval of the Agenda
- 3. Confirmation of Minutes
 - **That** the minutes of Planning Committee Meeting Number 11-2024, held on Thursday, May 16, 2024, be approved.
- 4. Disclosure of Pecuniary Interest
- 5. Delegations
- 6. Briefings
- 7. Business
- 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, June 20, 2024 at 6:00 p.m.

13. Adjournment

1. Approved Site Plan Items:

- D11-014-2023 290 Queen Street
- D11-024-2021 705 Development Drive
- D11-046-2020 870 Centennial Drive
- D11-029-2021 2702 2 Highway
- D11-004-2023 1752 Bath Road
- D11-046-2020 870 Centennial Road
- D11-016-2022 1533 McAdoo's Lane
- D11-005-2023 44 Barbara Avenue

2. Applications Appealed to the Ontario Land Tribunal:

- 1. 2 River Street OLT-22-004597 OPA/ZBA 5-week Hearing commenced on February 5, 2024. Hearing concluded. Waiting on written decision.
- 2. 51 Alwington Avenue OLT-24-000416 Minor Variance Appeal record submitted to the Tribunal. Awaiting hearing date.
- 3. 4085 Bath Road Appeal received for the OPA and ZBA. The appeal record is currently being prepared and sent to the OLT. Awaiting an OLT number.

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



City of Kingston Report to Planning Committee Report Number PC-24-034

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: May 30, 2024

Subject: Community Meeting Report

File Numbers: D01-008-2024

Council Strategic Plan Alignment:

Theme: 1. Support Housing Affordability

Goal: 1.1 Promote increased supply and affordability of housing.

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: 1739 Westbrook Road (File Number D01-008-2024, Future Application Type: Official Plan and zoning by-law amendments) May 30, 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
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Priorities	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation	
& Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

May 30, 2024

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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:

1739 Westbrook Road, (File Number D01-008-2024 (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.

May 30, 2024

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Accessibility Conside	erations:
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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 1739

Westbrook Road (File Number D01-008-2024 (Exhibit A))



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: Propane Levac Propane Inc.

Applicant (if Owner is not the Applicant): Asterisk Engineering Corporation

Site Characteristics

Site address: 1739 Westbrook Road

Site area: 6.8 hectares

Description of existing use and buildings on site (height, floor area, units,

bedrooms, parking spaces, setbacks, etc.): Vacant

Official Plan designation: Rural

Zoning By-law (zone and other relevant schedules and overlays): 'M1-4' & 'EPA'

Existing number of trees: 729

Number of existing trees to be retained: Unknown

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: Active quarry and asphalt plant operated by Lafarge Canada Inc.

West: Vacant land & agricultural land

North: Ground mounted solar farm

South: Waste Transfer Station operated by E360 Environmental Solutions

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.): Official Plan & Zoning By-law Amendment applications proposed to facilitate the construction of a propane transfer facility and supply depot on the subject property.

The depot will consist of two (2) 60,000 gallon propane storage tanks, a pad consisting of 500/1000/2000 litre storage tanks, a 464.5 square metres office building, parking for 10 propane supply vehicles, spray wash, docking facility, and a commercial propane dispenser.

The proposed development is contextually appropriate with other rural industrial uses in the surrounding area supported via private water and wastewater services.

Type of Application: OPA & ZBA

Proposed use: Propane Transfer Facility & Supply Depot

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

Proposed gross floor area (of each use): 464.5 square metres

Proposed height: 9.9 metres

Proposed setbacks:

Front: 99 metres

Interior: 81 metres

Exterior: 84 metres

Rear: 291 metres

Proposed number of vehicular parking spaces (include breakdown of occupant, visitor, car-share, accessible, etc.): 14 spaces / 1 accessible

Proposed number of bicycle parking spaces: N/A

Proposed landscaped open space: N/A

Proposed amenity area (if residential): N/A

Proposed number of trees to be planted: Unknown

Description of how the application conforms with the Official Plan: Official Plan Amendment proposed

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: Proposal seeks to maintain a minimum 30 metre setback from Glenvale Creek tributary that bisects the subject property. Stage 1-2 Archaeological Assessment cleared the subject property from archaeological significance.

Description of amendment(s) required to the Zoning By-law:

Redesignate the subject lands from 'Rural' to 'Rural Industrial' to ensure consistency with surrounding properties and establish appropriate designation for lands outside the urban boundary.

Rezone the subject lands from 'M1-4' & 'EPA' in the former Kingston Township Zoning By-law (76-26) to a Special Rural Heavy Industrial 'RM2-XX' zone in Comprehensive Zoning By-law (2022-062).

Other information that would be valuable for a Community Meeting: see Planning Rationale Report

List of Drawings/Studies Submitted

- Conceptual Site Plan;
- · Grading Plan;
- Planning Rationale Report;
- Stormwater Management Report;
- Tree Inventory Study;
- Tree Presentation Plan;
- Traffic Impact Study;
- Hydrogeological Study;
- Environmental Impact Study;
- Noise Study

Community Meeting Form Prepared by: The Boulevard Group

Date: April 24, 2024

File Number D35-002-2022

By-Law Number 2024-XXX

A By-Law To Amend The City Of Kingston Official Plan (Amendment Number ___, 1739 Westbrook Road)

	,
	Passed: [Meeting Date]
Wher	eas a Public Meeting was held regarding this amendment on;
with tl	Therefore the Council of The Corporation of the City of Kingston, in accordance ne provisions of Section 17 of the <i>Planning Act</i> , R.S.O. 1990, c.P13, hereby s as follows:
1.	The City of Kingston Official Plan is hereby amended by the following map change which shall constitute Amendment Number to the Official Plan for the City of Kingston.
(a)	Amend Schedule '3-B', 'Land Use', of the City of Kingston Official Plan, so as to change the designation of the property located at 1248-1320 McAdoo's Lane, as shown on Schedule 'A' to By-Law Number 2024, from 'Rural' to 'Rural Industrial'.
(b)	Amend Schedule '3-D', 'Site Specific Policies', of the City of Kingston Official Plan, so as to designate the property located at 1248-1320 McAdoo's Lane, as shown on Schedule 'B' to By-law Number 2024, as 'Site Specific Policy Number 75'.
2.	That the City of Kingston Official Plan, as amended, be further amended by adding the following new Site-Specific Policy as Section 3.17:
	"1739 Westbrook Road, Schedule 3-D, SSP Number
	On the lands shown on Schedule 3-D as Area permitted uses include a propane transfer facility and supply depot for the handling, storage and retail sale of propane as well as those uses permitted within the Rural Industrial designation subject to the following requirements:
	 a) On-site development shall maintain a minimum 30 metres setback from the Glenvale Creek tributary.

b) If the subject property is not used for a propane transfer facility and supply depot, the lands may be developed in accordance with the uses permitted in the site-specific amending Zoning By-law, and in compliance with the Rural Lands policies of Section 3.12 of this Plan."

City of Kingston By-Law Number 2024-XX

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3. This by-law shall come into force and take effect on the day that is the day after the last day for filing an appeal pursuant to the *Planning Act*, provided that no Notice of Appeal is filed to this by-law in accordance with the provisions of Section 17, Subsection 24 of the *Planning Act*, as amended; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the By-Law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be.

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



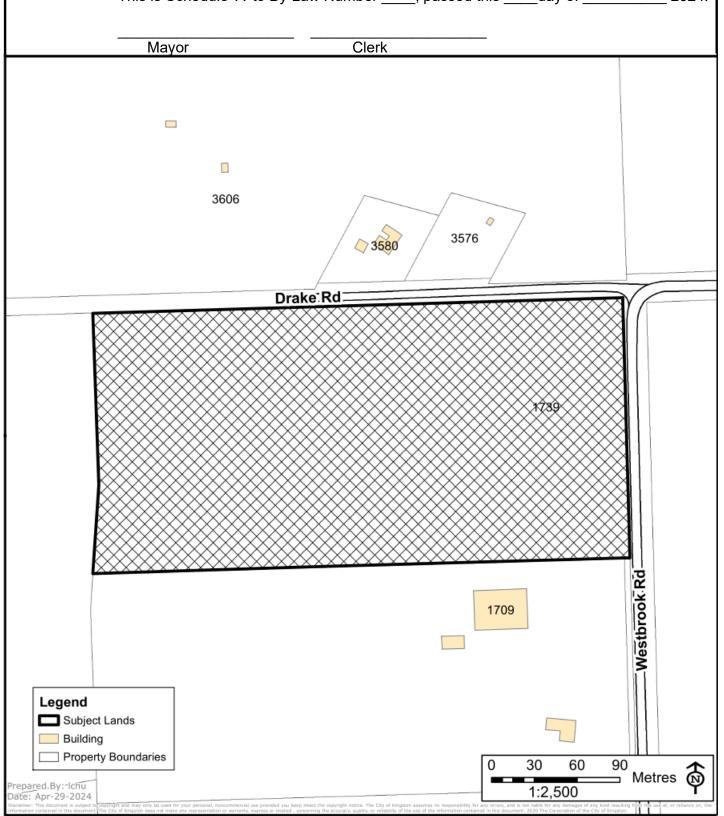
Schedule 'A' to By-Law Number ____

Official Plan Schedule 3B - Land Use

Lands to be designated Rural Industrial

Address: 1739 Westbrook Road File Number: D01-008-2024 Prepared On: Apr-29-2024 **Certificate of Authentication**

This is Schedule 'A' to By-Law Number _____, passed this _____day of ______ 2024.



KINGSTON
Planning Services

Schedule 'B' to By-Law Number ____

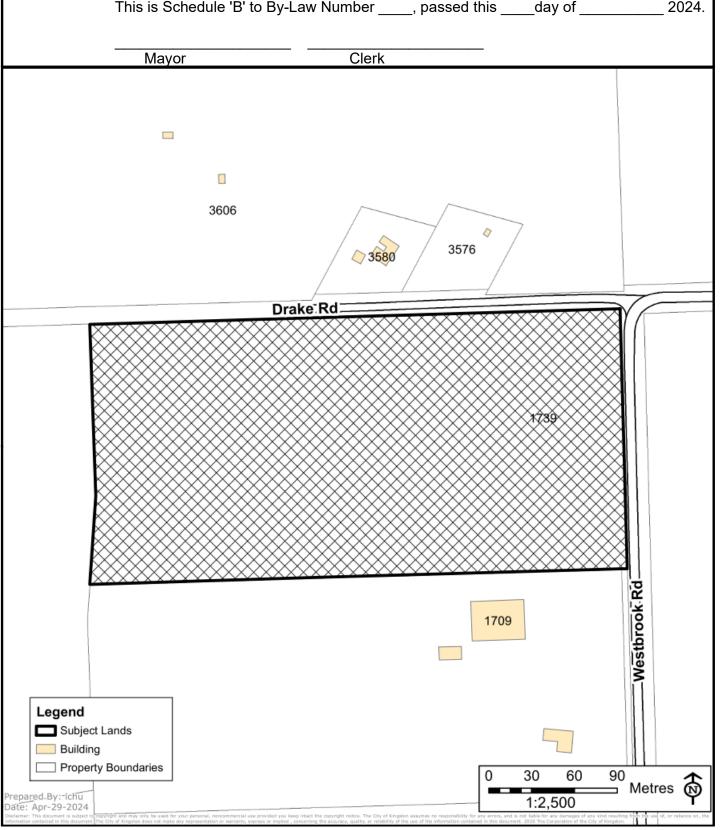
Address: 1739 Westbrook Road File Number: D01-008-2024

Official Plan Schedule 3D - Site Specific Policies

Lands to be added as Site Specific Policy Area XX

Prepared On: Apr-29-2024 **Certificate of Authentication**

This is Schedule 'B' to By-Law Number ____, passed this ____day of _____ 2024.



File Number D01-008-2024

By-Law Number 2024-XX

A By-Law to Amend By-Law Number 2022-62, "Kingston Zoning By-Law Number 2022-62" (Transfer of Lands into the Kingston Zoning By-Law, Zone Change from 'RU' to 'RM2' Zone, and Introduction of Exception Number E__ (1739 Westbrook Road))

Passed: [Meeting Date]

Whereas the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, entitled "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 1 Zoning Map is amended by removing reference to "Not Subject to this By-law", and by adding the zone symbol 'RM2', as shown on Schedule "A" attached to and forming part of this By-Law;
 - 1.2. Schedule E Exception Overlay is amended by adding Exception Number 'E___', 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) In addition to the uses permitted by the applicable Zone, the following **uses** are permitted:
 - (i) a Supply Depot;
 - (ii) a Propane Transfer Facility;
 - (b) For the purposes of this Exception, the following definitions apply:

City of Kingston By-Law Number 2024-XX

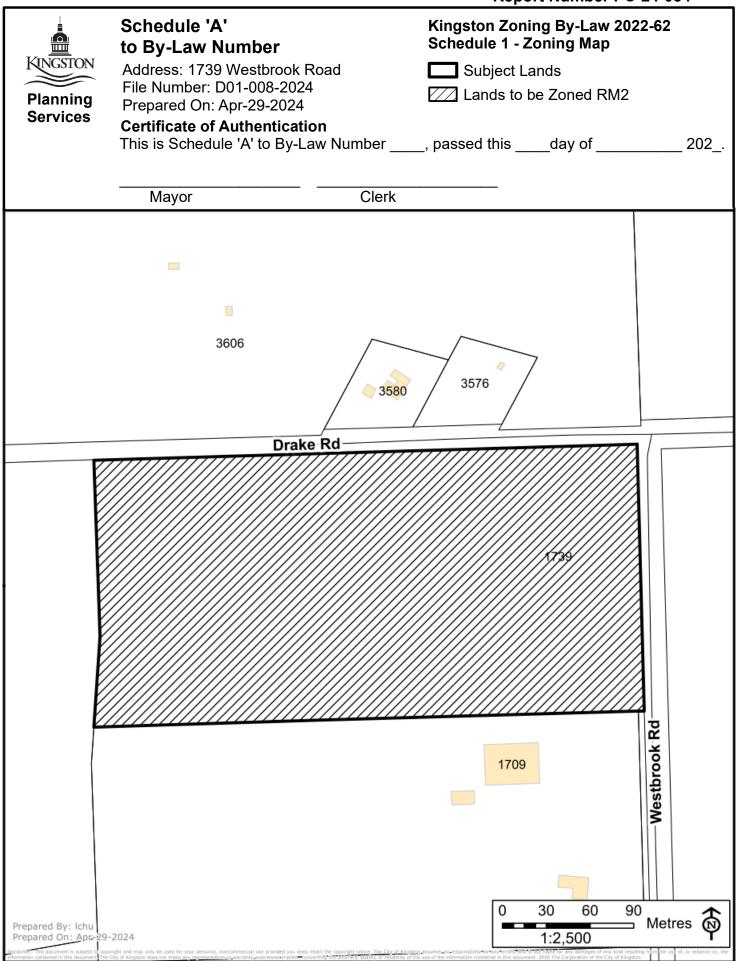
Page **2** of **2**

- (i) Supply Depot means land, building or structures used for wholesale commercial purposes, for the bulk storage and distribution of gasoline, propane, diesel fuel, aviation fuel, heating oil, motor oil or other fuels.
- (ii) Propane Transfer Facility means a site that accommodates the filling of cylinders and vehicles, sells propane to end users or transfers propane in bulk; in accordance with TSSA requirements."
- 2. The lands shown on Schedule "A" attached to and forming part of this By-Law are incorporated into the Kingston Zoning By-Law and the provisions of City of Kingston By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, no longer apply to the lands.
- 3. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

In and In the	-
Janet Jaynes	
City Clerk	
-	
	-
Brvan Paterson	

Mayor

Given all Three Readings and Passed: [Meeting Date]



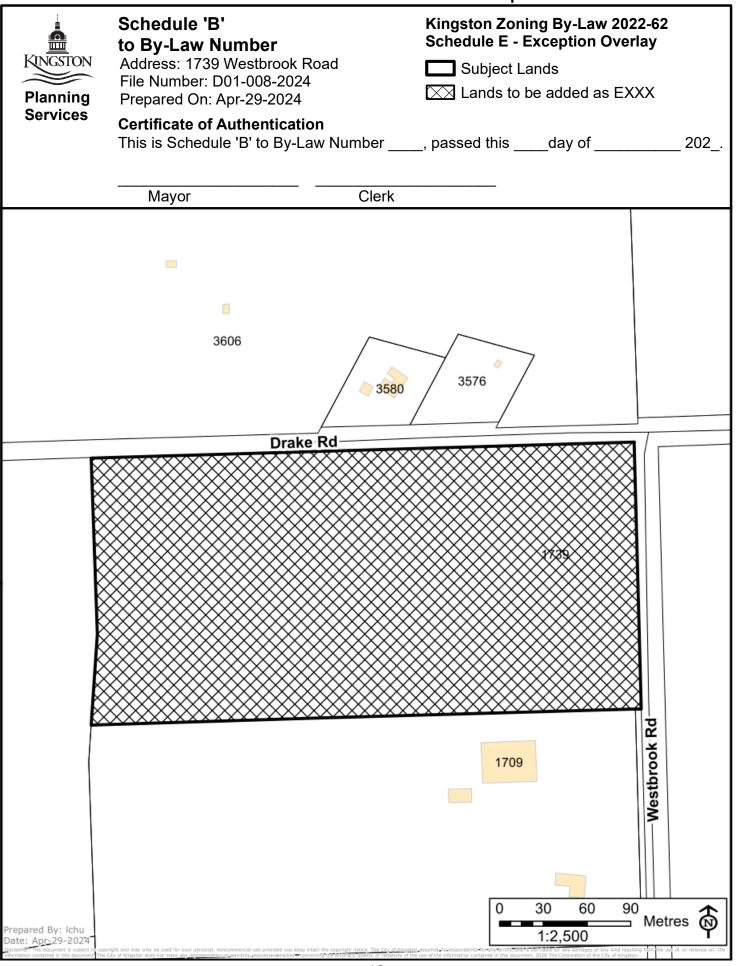


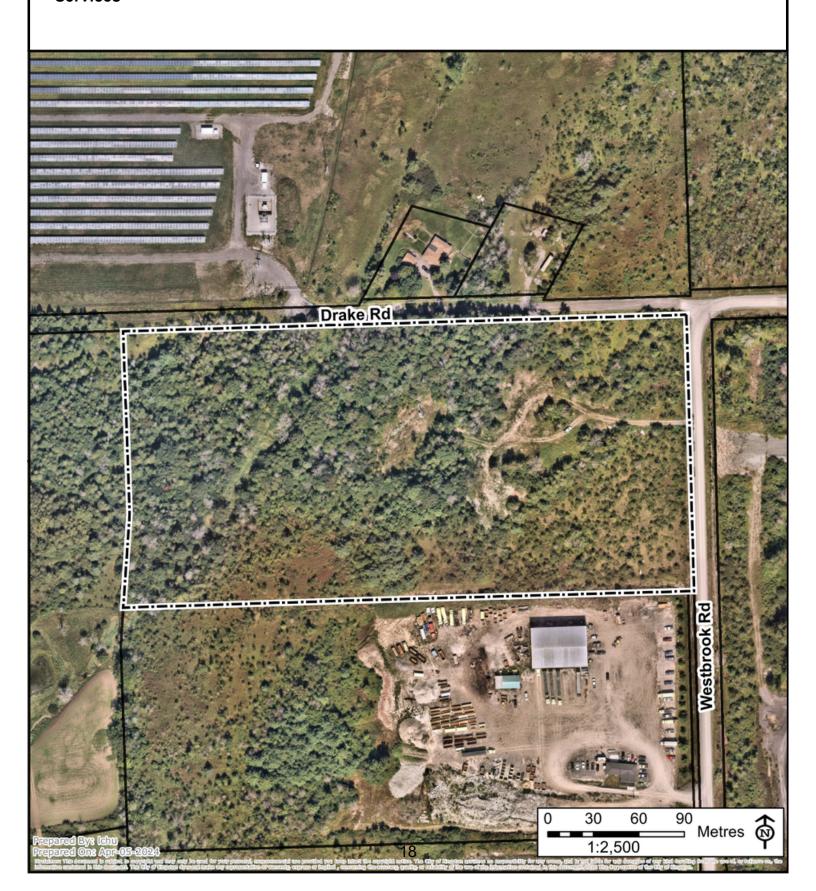
Exhibit A Report Number PC-24-034 City of Kingston **Key Map** KINGSTON Address: 1739 Westbrook Road File Number: D01-008-2024 **Planning** Prepared On: Apr-05-2024 Smith Rd Services Subject Lands Hwy 401 3606 3576 3580 Drake Rd 1739 -Westbrook Rd 1709 60 90 0 30 Metres Prepared By: Ichu 1:2,500 Prepared On: Apr-05-2024 17

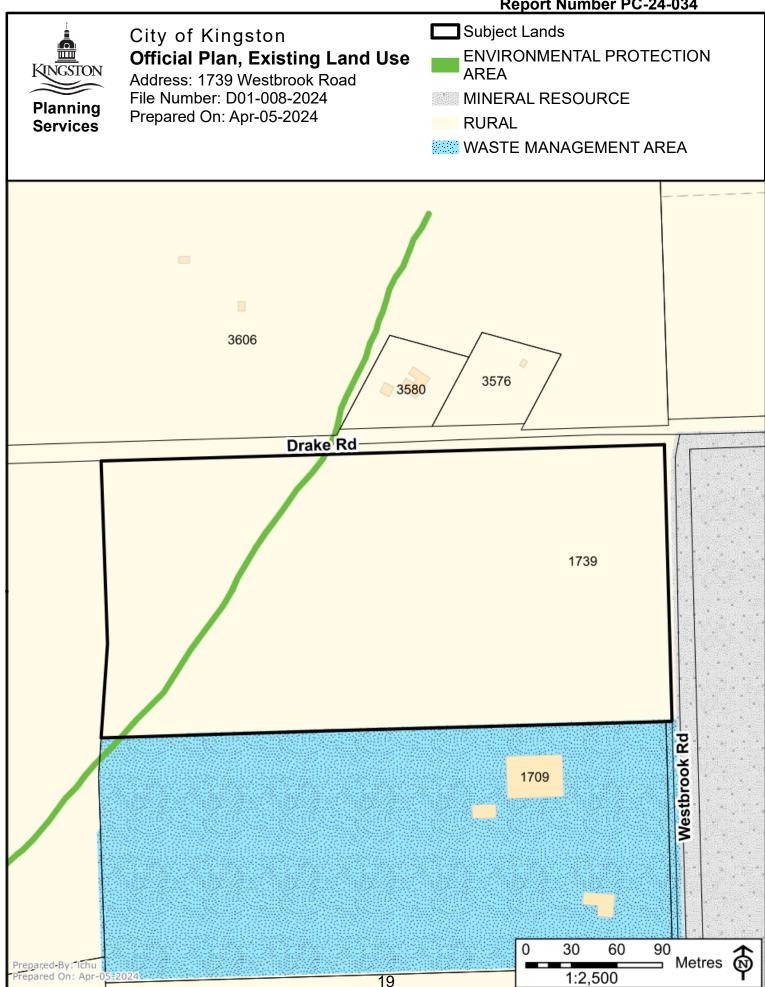


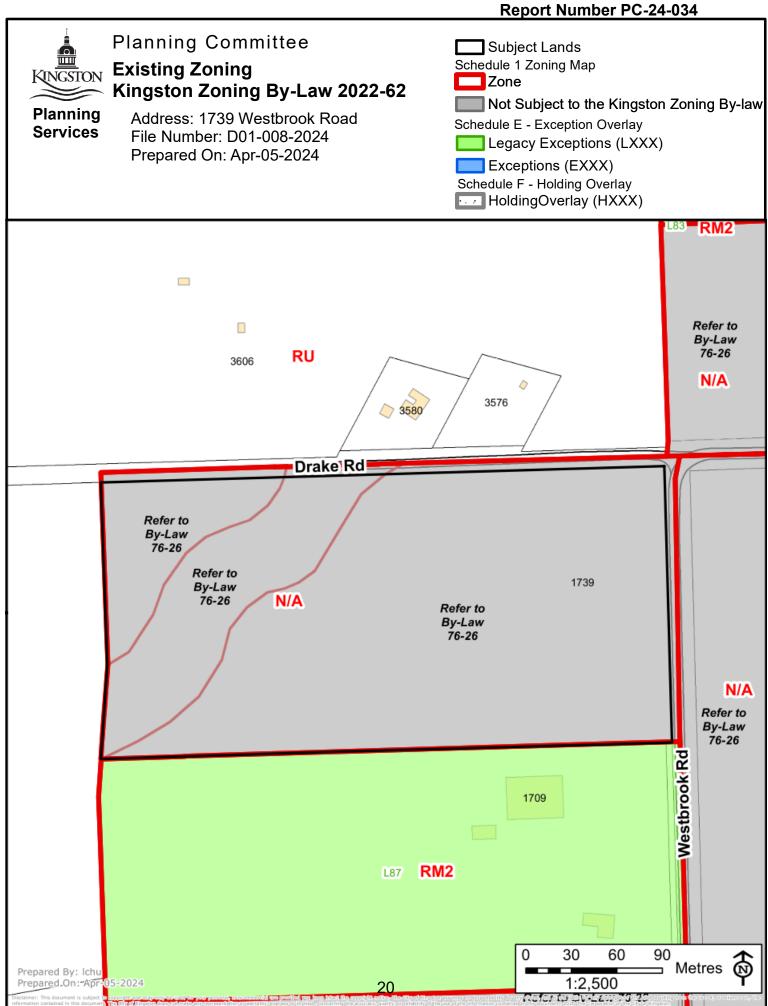
City of Kingston **Neighbourhood Context**

Address: 1739 Westbrook Road File Number: D01-008-2024 Prepared On: Apr-05-2024

Subject Lands
Property Boundaries
Proposed Parcels







KINGSTON
Planning
Services

City of Kingston

Public Notice Notification Map

Address: 1739 Westbrook Road File Number: D01-008-2024 Prepared On: Apr-05-2024 120m Public Notification Boundary

Subject Lands

Property Boundaries

