



**City of Kingston
Planning Committee
Minutes**

22-2024
November 7, 2024
6:00 p.m.
Council Chamber

Members Present: Councillor Cinanni; Chair
Councillor Chaves
Councillor McLaren
Councillor Oosterhof
Councillor Osanic

Regrets Councillor Glenn

Staff Present: James Bar, Manager, Development Approvals
Christine O'Connor, Committee Clerk
Tim Park, Director, Planning Services
Derek Ochej

Others Present: Members of the public were present.

1. 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.

2. Community Meeting items

The Chair called the Community Meeting to order at 6:04 p.m.

Mike Keene, Agent for the Applicant, conducted a PowerPoint presentation regarding the Zoning By-Law Amendment for 1315 Midland Avenue. A copy of this presentation is available upon request through the City Clerk's Department.

The Chair provided an opportunity for members of the public to provide comments.

Glenn Percy, Sierra Avenue, expressed concern for the noise from businesses in the area. He noted the tree barrier that currently exists between the residential

area and the commercial properties is not healthy nor maintained. He added that there is a significant amount of noise from vehicles in the commercial area at all hours of the night, including a businesses that begins operations at 4:30 a.m. He noted that multiple complaints have been made to the City but the situation has yet to be rectified. He inquired regarding the timing of the construction phase of the development and whether operations would be exempt from the noise by-law during construction.

In response to public comments, Mr. Keene confirmed that this development will be subject to site plan control which will require that any tree that dies is replaced. He added that this business will use modern technology that will limit noise as much as possible and that noise requirements would be captured in the site plan.

The Chair provided an opportunity for the Committee to provide comments.

Councillor Chaves inquired about the existing number of trees on site and about the possibility of having a five-metre buffer. He further inquired if the applicant would consider biodiverse and pollinator friendly shrubs for the landscaping on site. Mr. Keene confirmed a five-metre buffer is now being proposed. He could not confirm the type of shrubs being considered but stated he would bring the suggestion to the applicant.

Councillor Osanic suggested that coniferous trees be planted in the buffer so that the visual buffer would remain in the winter. She asked for consideration to be given to ensuring the best rate of survival of the planted trees.

The Chair adjourned the Community Meeting at 6:27 p.m.

3. Call to Order

The Chair called the meeting to order at 6:27 p.m.

4. Approval of the Agenda

Moved by: Councillor Oosterhof

Seconded by: Councillor Osanic

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

Carried

5. Confirmation of Minutes

Moved by: Councillor Chaves

Seconded by: Councillor Osanic

That the minutes of Planning Committee Meeting Number 19-2024, held Thursday, October 24, 2024, be approved.

6. Disclosure of Pecuniary Interest

There were none.

7. Delegations

There were none.

8. Briefings

There were none.

9. Business

1. Recommendation Report - 1233 Midland Avenue

Ms. Reid conducted a PowerPoint presentation regarding the Zoning By-Law Amendment and Draft Plan of Subdivision at 1233 Midland Avenue. A copy of this presentation is available upon request through the City Clerk's Department.

The Chair provided an opportunity for the Committee to ask questions.

Councillor Chaves inquired about the width of the roadways and whether parking would be permitted on the road. He asked how close to net-zero the development would be and whether there would be an opportunity for a community garden. He further inquired about the use of biodiverse and pollinator friendly plants in the landscaping. Ms. Reid confirmed that the private roadway through the development is six metres in width to allow for vehicular traffic. She added that parking would not be permitted on the roadway. Mr. Weekes, agent for the applicant, stated that the applicant is seeking Canada Mortgage and Housing Corporation (CMHC) funding, which has a higher standard for building efficiency. He noted that the applicant would be targeting 20-40% beyond the requirements of the Ontario Building Code for energy efficiency. He explained that there would be an opportunity for a community garden if residents were to request it and added that biodiverse and pollinator friendly plants have been selected as part of the landscaping plan.

Councillor Chaves inquired about who would be responsible for snow removal and waste-collection. He asked for clarification regarding the lower-level bedrooms and whether they are intended to be secondary suites. Mr. Weeks confirmed that snow removal would be private while waste collection would be tentatively municipal. Ms. Reid explained that the lower-level bedrooms are not secondary suites and added that the bedrooms are distributed throughout the houses due to the compact nature of the development.

Councillor Chaves asked if the private lane, visitor parking, and other common elements would be covered by condominium fees and taken care of by the condominium corporation. Ms. Reid stated that the the common elements would be maintained by the condominium corporation and larger repairs. She added that a reserve fund created using condominium fees would be used to completed the repairs.

Councillor Chaves asked if there are sidewalks on one or both sides of the street and inquired whether this would impact the parking area. Ms. Reid stated that there are sidewalks throughout the development on a minimum of one side of the street. She added that the sidewalks do not conflict with the parking area in the driveway.

Councillor Osanic expressed concern for the lack of parking on the streets. She inquired about whether snow that is being removed would be stored on site. She further inquired about municipal garbage trucks being permitted in the private laneways to collect waste and whether the new, larger waste bins that have been approved by Council would be permitted. Ms. Reid confirmed that there are snow storage areas on site and added that the traffic study has demonstrated municipal garbage trucks would be able to move freely through the development to collect waste. She noted that the site plan had been circulated to colleagues working with solid waste and no concerns were raised.

Councillor Osanic further inquired about the trees to be planted and whether there would be trees planted by the townhomes or whether they would mostly be located around the apartment. Ms. Reid stated that the planting would be split between the apartment area and the town homes.

The Chair provided an opportunity for members of the public to ask questions. There were no comments received from the public.

Councillor Chaves stated that he is happy that the apartment building is on the east side of the property to decrease the visual and noise implications for the current residents of the area. He noted the application seems to rely on transit which is not as frequent or efficient in this areas as other areas of the City. He added that many residents use their garage for storage rather than parking a vehicle, and expressed concern for parking on the roadway.

Moved by: Councillor Oosterhof

Seconded by: Councillor Chaves

That the Planning Committee recommends to Council:

That the applications for zoning by-law amendments and draft plan of subdivision (File Number D35-005-2021) submitted by Kingston Midland and Cataraqui Corp. and Fotenn Consultants Inc., on behalf of 1000208656 Ontario Inc., for the property municipally known as 1233 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 Schedules A and B to Amend Zoning By-Law Number 202262) to Report Number PC-24-058; and

That the draft plan of subdivision be subject to the conditions as per Exhibit C (Draft Plan of Subdivision Conditions) to Report Number PC-24-058; 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

10. Motions

There were none.

11. Notices of Motion

There were none.

12. Other Business

There was none.

13. Correspondence

- 1. Correspondence received October 3 - October 8, 2024, regarding 1315 Midland Avenue**
- 2. Correspondence received November 6, 2024, regarding 1233 Midland Avenue**

14. Date of Next Meeting

The next meeting of the Planning Committee is scheduled for Thursday, November 21, 2024 at 6:00 p.m.

15. Adjournment

Moved by: Councillor Chaves
Seconded by: Councillor Osanic

That the meeting of the Planning Committee adjourn at 7:01 p.m.

Carried