



**City of Kingston
Report to Planning Committee
Report Number PC-24-039**

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: July 4, 2024
Subject: Recommendation Report
File Number: D14-005-2024
Address: 1287 and 1301 Gardiners Road
District: District 2 - Loyalist-Cataraqui
Application Type: Zoning By-Law Amendment
Owner: 1112019 Ontario LTD & 976653 Ontario Inc.
Applicant: The Boulevard Group

Council Strategic Plan Alignment:

Theme: 5. Drive Inclusive Economic Growth

Goal: 5.3 Diversify Kingston's economic base.

Executive Summary:

The following is a report recommending approval to the Planning Committee regarding an application for a zoning by-law amendment submitted by The Boulevard Group, on behalf of 1112019 Ontario LTD & 976653 Ontario Inc., with respect to the subject site located at 1287 and 1301 Gardiners Road.

The subject lands are currently designated as Business Park Industrial in the Official Plan and subject to a Business Park (M1) zone in the Kingston Zoning By-Law. The property at 1287 Gardiners Road is developed with a single-storey building, currently used for research and development laboratory with several other internal units currently unused. The property at 1301

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Gardiners Road is currently vacant and undeveloped. The purpose of this proposed zoning by-law amendment is to rezone both properties from the existing Business Park (M1) zone to an Employment Service (M4) zone. The proposed M4 zone would permit a broader range of both employment and commercial uses, with the intent of encouraging future re-investment in the existing building at 1287 Gardiners Road and allowing for a wider range of new uses for the undeveloped lot at 1301 Gardiners Road. No new development is proposed as part of this application for a zoning by-law amendment, however, any proposals for new development on these lands in the future will require a Site Plan Control application.

This report includes a time-sensitive recommendation for Council's consideration at the upcoming meeting on July 9, 2024, in recognition of the fact that this application is entitled to a decision by Council on or before July 18, 2024, due to the 90-day timeline for zoning by-law amendment applications established by the *Planning Act*. As there are no additional City Council meetings scheduled between July 9, 2024, and August 13, 2024, staff recommend that this application be added to the July 9, 2024, City Council agenda in order to ensure this application is not subject to any fee refunds.

Recommendation:

That the Planning Committee recommends to Council on July 9, 2024:

That the application for a zoning by-law amendment (File Number D14-005-2024) submitted by The Boulevard Group, on behalf of 1112019 Ontario LTD & 976653 Ontario Inc., for the property municipally known as 1287 and 1301 Gardiners 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-24-039; 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.

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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 Initiatives	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

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Options/Discussion:

Statutory Public Meeting

This recommendation report forms the basis of a statutory public meeting at Planning Committee. Anyone who attends the statutory public meeting may present an oral submission, and/or provide a written submission on the proposed application. Also, any person may make written submissions at any time before City Council makes a decision on the application.

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. If a 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 may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Planning Committee will consider the recommendations in this report and make its recommendation to City Council at this meeting.

Anyone wishing to be notified of Council's decision on the subject application must submit a written request to:

Jacob Slevin, Planner
The Corporation of the City of Kingston
Planning Services
216 Ontario Street
Kingston, ON K7L 2Z3
613-546-4291 extension 2176
jslevin@cityofkingston.ca

Background and Decision Date

In accordance with By-Law Number 2007-43, this application was subject to a pre-application. A Community Meeting was held at Planning Committee on March 21, 2024 during the pre-application process. A summary of the feedback received at the Community Meeting is provided in the Public Comments section of this report.

Following the pre-application process, a complete application was submitted by the applicant and was deemed to be complete as of April 19, 2024.

In accordance with the *Planning Act*, this application is subject to a decision by Council on or before July 18, 2024, which is 90 days after a complete application was received. In the absence of a decision by Council in this timeframe, the City will be required to refund the fees

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that were paid by the applicant on the subject application and the applicant may exercise their right to appeal to the Ontario Land Tribunal (OLT).

Site Characteristics

The subject lands, known municipally as 1287 Gardiners Road and 1301 Gardiners Road, are located in the Cataraqui Estates Business Park and adjacent to the Fortune Crescent Retail Centre. The properties are directly west of Gardiners Road, north of Cataraqui Woods Drive, east of Midland Avenue, and south of Macrow Street. The subject lands have a combined total land area of approximately 3.4 hectares, with 1287 Gardiners Road having 2.5 hectares and 1301 Gardiners Road having 0.94 hectares of land area. The properties have a combined frontage of 229 metres onto Gardiners Road, and vehicular access to both properties is provided from this frontage. A bus stop is located approximately 60 metres east of the subject lands, which is serviced by Kingston Transit Route 7.

The property at 1287 Gardiners Road is currently developed with an approximately 4,094 square metre single-storey building containing multiple units. This building is only partially occupied. One existing use is Performance Plants, a research and development laboratory in the field of agricultural biotechnology. Another use in the building is Euro Tile & Stone, a tile and stone warehouse. The remainder of the building is vacant.

The property at 1301 Gardiners Road is vacant, with no existing buildings on the parcel. The property is developed with a drive aisle for access from Gardiners Road and contains a number of parking spaces. While no development is proposed at this time, it is anticipated that this property will be developed at some point in the future.

The subject lands are surrounded by a variety of employment, commercial, and recreational uses. Uses to the north and east of the subject lands are developed with a mix of employment and commercial uses, including professional offices, wellness clinics, and restaurants. The INVISTA Centre, a municipal sports and recreation facility is located to the northeast of the subject properties. The lands to the south include industrial employment uses, while the lands west of the subject property are currently vacant and undeveloped.

Proposed Application and Submission

The applicant is proposing a Zoning By-Law amendment for the subject properties, which would have the effect of changing the existing Business Park (M1) zoning to an Employment Service (M4) zoning. No physical development for either parcel within the subject lands is contemplated as part of this application. The subject lands are considered to be under-utilized given that there is vacant space within the existing building at 1287 Gardiners Road and that the property at 1301 Gardiners Road remains entirely vacant. Given this, the purpose of this proposed rezoning is to encourage future investment in these under-utilized properties by rezoning to an M4 zone. The Employment Service (M4) permits numerous employment uses and as well as a number of commercial uses intended to service surrounding employment areas. As such, the M4 zone permits both employment and commercial uses and includes a wider range of permitted uses than the existing M1 zone which allows for a more limited range of employment uses.

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In support of the application, the applicant has submitted the following:

- Owner Authorization Form
- Planning Justification Report and Draft By-Law
- Servicing Report

All submission materials are available online through the Development and Services Hub (DASH) at the following link, [DASH](#), 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.

Provincial Policy Statement

The Provincial Policy Statement (2020) provides policy direction on matters of provincial interest related to land use planning and development, which are intended to be complemented by local policies addressing local interests.

The subject lands are located within a Settlement Area as defined by the Provincial Policy Statement (2020). The property at 1287 Gardiners Road is developed with a partially occupied commercial building, while the property at 1301 Gardiners Road is vacant and undeveloped. The intent of the proposed Zoning By-Law amendment is to encourage future investment of these under-utilized properties by permitting a wider range of commercial and employment land uses. As such, this proposal supports long term economic prosperity by encouraging the diversification of the City’s economic base, as directed by the Provincial Policy Statement (2020).

A detailed review of the applicable Provincial Policy Statement provisions is attached in Exhibit D – Consistency with Provincial Policy Statement.

Official Plan Considerations

The subject properties at 1287 Gardiners Road and 1301 Gardiners Road are located inside the City’s Urban Boundary and within a Business District as shown on Schedule 2 – City Structure of the Official Plan. The subject property is designated Business Park Industrial in the Official Plan (Exhibit E – Official Plan, Land Use Map). The intention of Business Park Industrial designated lands is to provide prominent and easily accessible locations for high quality employment uses that promote a prestigious community image. It is the intent of the Official Plan for lands within the Business Park Industrial designation to be used for employment uses and complementary commercial uses to support these employment uses.

The applicant has proposed a Zoning By-Law amendment to rezone the subject lands from the current Business Park (M1) zoning and to a new Employment Service (M4) zoning. No development is being proposed as part of this application, rather, the intent of the application is to encourage future investment in these under-utilized commercial properties by rezoning the subject lands to a designation which permits a wider range of land uses. Permitted uses within the M4 zone include a variety of both employment and commercial uses. As such, this proposal

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supports the intention of the Official Plan for Business Park Industrial lands to be used for both employment uses and supportive commercial uses.

By encouraging future investment in currently under-utilized Business Park Industrial designated lands, this proposal aligns with the Official Plan’s goals of promoting and protecting existing employment areas in order to maintain a diverse economic base for the City of Kingston. Additionally, as the subject lands are within a highly commercialized area where the existing landholdings serviced by municipal infrastructure and in close proximity to a Kingston Transit bus route, this proposal also supports the City’s goals of encouraging new non-residential development through intensification and reuse of under-utilized lands.

A detailed review of the applicable Official Plan policies is attached in Exhibit F – Conformity with Official Plan.

Zoning By-Law Discussion

The subject properties are currently zoned a Business Park (M1), which permits a number of employment uses as shown below in Table 1. The proposed M4 for the subject property permits the vast majority of the employment uses which are already permitted in the current M1 zone. In addition to these uses which will continue to be permitted under the M4 zone, the proposed M4 zone also permits a number of commercial uses. A comparison of permitted uses in the current M1 zone and the proposed M4 zone is provided below in Table 1.

Table 1 – Zoning Comparison Table

Zone Provision	Existing Zone – Business Park (M1) Zone	Proposed Zone – Employment Service (M4) Zone
Permitted Uses	<ul style="list-style-type: none"> • Call Centre • Catering Service • Contractor’s Yard • Laboratory • Light Industrial Use • Office • Outdoor Storage • Production Studio • Repair Shop 	<ul style="list-style-type: none"> • Animal Care • Animal Shelter • Banquet Hall • Call Centre • Catering Service • Contractor’s Yard • Day Care Centre* • Financial Institution • Fitness Centre

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	<ul style="list-style-type: none"> • Research Establishment • Retail Store • Training Facility • Transportation Depot • Warehouse • Wholesale Establishment • Workshop 	<ul style="list-style-type: none"> • Hotel* • Laboratory • Light Industrial Use • Office • Personal Service Shop • Place of Worship • Production Studio • Recreation Facility • Repair Shop • Research Establishment • Restaurant • Retail Store • Training Facility • Transportation Depot • Warehouse • Wellness Clinic • Wholesale Establishment • Workshop <p>* Holding Overlay will apply to this use. A satisfactory Noise study will be required prior to removal of Overlay.</p>
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As shown in Table 1 above, there is significant overlap between the permitted uses in both zones. The only land use permitted in the M1 zone but not permitted in the M4 zone is Outdoor Storage, which is only permitted in the M1 zone as an accessory use to a primary use. With the exception of Outdoor Storage as an accessory use, all employment uses permitted in the M1 zone will continue to be permitted under the proposed M4 zone. As shown above, the proposed

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M4 zone will permit commercial uses intended to service the surrounding area which is predominantly made up of employment uses. Such commercial uses include, but are not limited to, a fitness centre, a restaurant, and a wellness clinic.

In addition to the M1 to M4 rezoning, the proposed Zoning By-Law amendment will also facilitate the addition of an Exception Overlay and a Holding Symbol to the subject lands.

The proposed Exception Overlay E167 will specify that, for the existing building at 1287 Gardiners Road, any future proposed change of use will not necessitate the addition of any long-term bike spaces or any end-of-trip bike facilities. However, the Exception Overlay specifies that long-term bike spaces and end-of-trip bike facilities would be required if new development is proposed for either site. This proposed Exception Overlay is aligned with proposals supported by Planning staff as part of the City-initiated Housing and Administrative Amendments (Report Number PC-24-041). One of the changes proposed as part of these amendments is to alter the requirements for bicycle parking and end of trip bike facilities such that these spaces and facilities will only be required when new development is proposed, and not simply for a change of use. As such, the proposed Exception Overlay is consistent with current staff recommendations to Planning Committee and Council.

The Holding Overlay H237 is being applied only to certain sensitive uses which are permitted by the M4 zone but were not previously permitted by the M1 zone. Prior to the establishment of a hotel or a day care centre on the subject lands, a noise impact study must be submitted and reviewed to the satisfaction of the City. The proposed Holding Overlay will not apply to any other permitted uses of the M4 zone.

Other Applications

The lands are not subject to any other Planning applications at this time. However, it is noted that, as per the City's Site Plan Control By-Law (By-Law Number 2010-217), new non-residential development, redevelopment, or additions located along an Arterial Road shall require an application for Site Plan Control. As the subject properties are located adjacent to Gardiners Road, which is an Arterial Road, future non-residential development or redevelopment on either site shall require a Site Plan Control application.

Technical Analysis

This application has been circulated to external agencies and internal departments for review and comment. All comments on the proposal have been addressed and no outstanding issues with this application remain at this time.

Public Comments

No public comments were received for this application during the Zoning By-Law Amendment Pre-Application stage, nor were there any comments from the public made at the Community Meeting held on March 21, 2024. At the time of finalizing this report, no public comments have been received for the Zoning By-Law Amendment application.

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Effect of Public Input on Draft By-Law

No public comments have been received regarding this proposal at the time this report was prepared.

Conclusion

The proposed Zoning By-Law amendment to rezone the subject properties at 1287 Gardiners Road and 1301 Gardiners Road is recommended for approval for the reasons outlined throughout this report. The proposed rezoning is anticipated to encourage future investment in these under-utilized properties. The subject lands are located within Business Park Industrial designated lands which are accessed by Gardiners Road, a major arterial road within the City. Although no specific development is proposed at this time, the intent of this Zoning By-Law amendment is to encourage development and investment for these strategically located properties by broadening the range of permitted land uses. Future proposals for development on the subject lands will require a Site Plan Control application, at which stage staff can assess the technical details of the proposal to ensure functionality and compatibility with the surrounding area.

As this proposal is consistent with the Provincial Policy Statement (2020), meets the intention of the Official Plan, and represents good land use planning, staff are recommending this Zoning By-Law amendment application for approval.

Existing Policy/By-Law:

The proposed amendment was reviewed against the policies of the Province of Ontario and City of Kingston to ensure that the changes would be consistent with the Province's and the City's vision of development. The following documents were assessed:

Provincial

Planning Act

Provincial Policy Statement, 2020

Municipal

City of Kingston Official Plan

Zoning By-Law Number 2022-62

Notice Provisions:

Pursuant to the requirements of the *Planning Act*, notice of the statutory public meeting was provided 20 days in advance of the public meeting in the form of a sign posted on the subject property and by mail to 9 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. In addition, a courtesy notice placed in The Kingston Whig-Standard on June 25, 2024.

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If the application is approved, a Notice of Passing will be circulated in accordance with the provisions of the *Planning Act*.

At the time of writing of this report, no pieces of written public correspondence have been received and all planning related matters have been addressed within the body of this report. Any public correspondence received after the publishing of this report will be included as an addendum to the Planning Committee agenda.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

James Bar, Manager, Development Approvals, 613-546-4291 extension 3213

Jacob Slevin, Planner, 613-546-4291 extension 2176

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Draft By-Law and Schedule A to Amend Zoning By-Law Number 2022-62
- Exhibit B Key Map
- Exhibit C Neighbourhood Context
- Exhibit D Consistency with the Provincial Policy Statement
- Exhibit E Official Plan, Land Use
- Exhibit F Conformity with the Official Plan
- Exhibit G Zoning By-Law Number 2022-62 Map
- Exhibit H Site Photographs
- Exhibit I Public Notice Map

By-Law Number 2024-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Zone Change from ‘M1’ to ‘M4’ Zone, Introduction of Exception E167, and Addition of Holding Overlay H237 (1287 and 1301 Gardiners Road))

Passed: July 9, 2024

Whereas the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, “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 changing the zone symbol from ‘M1’ to ‘M4’, 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 ‘E167’, as shown on Schedule “B” attached to and forming part of this By-Law;
 - 1.3. Schedule F – Holding Overlay is amended by adding Hold Number ‘H237’, as shown on Schedule “C” attached to and forming part of this By-Law;
 - 1.4. By adding the following Exception Number E167 in Section 21 – Exceptions, as follows:

“**E167.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

 - (a) **Long-term bike spaces** will not be required for a change of **use** at the existing building at 1287 Gardiners Road. However, if any other **development** is proposed, **long-term bike spaces** must be provided in accordance with all provisions of Subsection 7.3 of this By-law.

End-of-trip bike facilities for non-residential uses will not be required for a change of **use** at the existing building at 1287 Gardiners Road. However, if any other **development** is proposed, **end-of-trip bike facilities** must be provided in accordance with all provisions of Subsection 7.3 of this By-Law.”

- 1.5. By adding the following Hold Number H237 in Section 22 – Holding Conditions, as follows:

“**H237.** The Holding Overlay applies only to a **day care centre** or a **hotel**. All other permitted **uses** are not subject to the Holding Overlay. Prior to the removal of the Holding Overlay, the following condition must be satisfied:

- (a) The submission of a satisfactory noise impact study prepared by a qualified person as defined by the **City** and completed to the satisfaction of the **City** and which adheres to all applicable municipal and provincial requirements.”

2. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: July 9, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

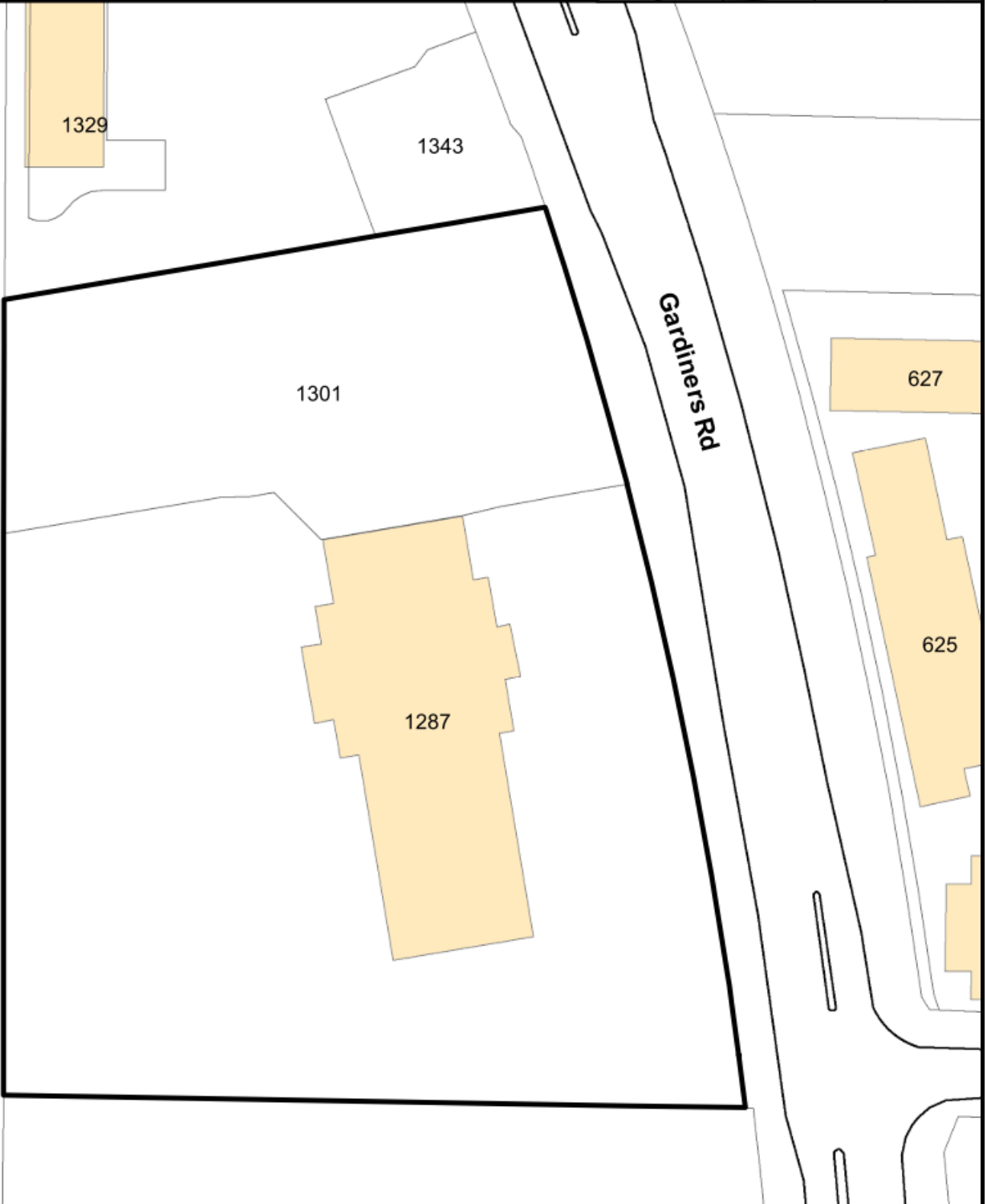
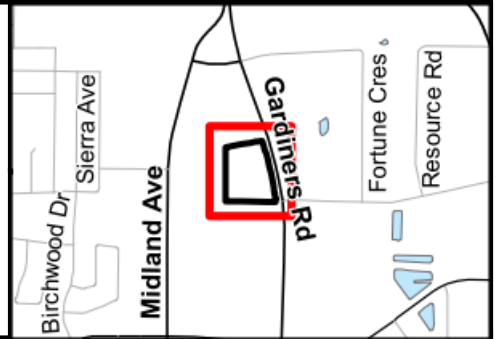


Planning Committee

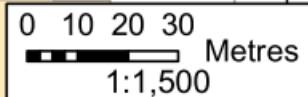
Key Map

Address: 1287 to 1301 Gardiners Road
File Number: D14-005-2024
Prepared On: Apr-23-2024

 Subject Lands



Prepared By: Ichu
Prepared On: Apr-23-2024





Planning Committee Neighbourhood Context

Address: 1287 to 1301 Gardiners Road
File Number: D14-005-2024
Prepared On: Apr-23-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



Prepared By: lchu
Prepared On: Apr-23-2024

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Demonstration of How the Proposal is Consistent with the Provincial Policy Statement

Policy Number	Policy	Category	Consistency with the Policy
1.1.1.	<p>Healthy, livable and safe communities are sustained by:</p> <p>a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;</p> <p>b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;</p> <p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</p> <p>e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns,</p>	<p>Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns</p>	<p>The proposal promotes efficient development by widening the range of uses permitted on the subject lands, enhancing opportunities for future economic activity.</p> <p>There is no development being proposed, therefore the proposal does not provoke any environmental or public health and safety concerns.</p> <p>The subject lands are already serviced by municipal water and sewage infrastructure and public transportation opportunities. The widened range of permitted uses will support the efficient use of these resources through future development.</p>

Policy Number	Policy	Category	Consistency with the Policy
	<p>optimization of transit investments, and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;</p> <p>g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;</p> <p>h) promoting development and land use patterns that conserve biodiversity; and</p> <p>i) preparing for the regional and local impacts of a changing climate.</p>		
1.1.3.1.	Settlement areas shall be the focus of growth and development.	Settlement Areas	The subject lands are located within the Urban Boundary, which is defined as a settlement area for the City and are well serviced by transit. No expansion of the Urban boundary is required.
1.1.3.2.	<p>Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <p>a) efficiently use land and resources;</p> <p>b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;</p>	Settlement Areas	<p>The subject lands are currently under-utilized and partially vacant. The proposed Zoning By-Law Amendment is intended to attract new business types to the area, encouraging the more efficient use of the subject lands and existing servicing and infrastructure.</p> <p>As the lands are already zoned for employment, the new uses permitted by the proposed Zoning</p>

Policy Number	Policy	Category	Consistency with the Policy
	<p>c) minimize negative impacts to air quality and climate change, and promote energy efficiency;</p> <p>d) prepare for the impacts of a changing climate;</p> <p>e) support active transportation;</p> <p>f) are transit-supportive, where transit is planned, exists or may be developed; and</p> <p>g) are freight-supportive.</p>		<p>By-Law Amendment are appropriate for the subject lands.</p> <p>Air quality, climate change and energy efficiency are not concerns for the proposal, as there is no development being proposed.</p>
1.2.6.1.	<p>Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.</p>	Land Use Compatibility	<p>A Holding Overlay will be established through this application. The Holding Overlay will apply only to a hotel and a day care use, which are sensitive uses permitted by the proposed M4 zone that are not permitted under the current M1 zoning for the property. Prior to removal of the Holding Overlay to permit the development of a sensitive use, a noise and vibration study must be submitted and reviewed to the satisfaction of the City.</p>
1.3.1.	<p>Planning authorities shall promote economic development and competitiveness by:</p> <p>a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;</p> <p>b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of</p>	Employment	<p>The proposed Zoning By-Law Amendment promotes economic development and competitiveness by providing occupancy opportunities for a variety of commercial uses in addition to the employment uses already permitted.</p> <p>The proposal encourages compact, mixed-use development by permitting a mixture of</p>

Policy Number	Policy	Category	Consistency with the Policy
	<p>economic activities and ancillary uses, and take into account the needs of existing and future businesses;</p> <p>c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;</p> <p>d) encouraging compact, mixed-use development that incorporates compatible employment uses to support livable and resilient communities, with consideration of housing policy 1.4; and</p> <p>e) ensuring the necessary infrastructure is provided to support current and projected needs.</p>		<p>commercial and employment uses on the subject lands.</p>
1.3.2.3.	<p>Within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility.</p> <p>Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment areas.</p>	Employment Areas	<p>The proposed zoning does not permit residential uses. The subject lands will remain as employment areas. The proposal includes a Holding Overlay that will be applied to certain sensitive uses (hotel and day care) that are permitted under the proposed zoning but not permitted under the current zoning. A satisfactory noise impact study will be required to remove the hold. Future development on the subject lands will be subject to Site Plan Control.</p>

Policy Number	Policy	Category	Consistency with the Policy
1.3.2.6.	Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.	Employment Areas	The current and proposed zoning of the subject lands are both Employment Zones. There will be no adverse impact on employment uses.
1.6.3.	<p>Before consideration is given to developing new infrastructure and public service facilities:</p> <p>a) the use of existing infrastructure and public service facilities should be optimized; and</p> <p>b) opportunities for adaptive re-use should be considered, wherever feasible.</p>	Infrastructure and Public Service Facilities	The subject lands are located within the Urban Boundary and already are serviced by municipal servicing and infrastructure.
1.6.6.2.	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	Sewage, Water and Stormwater	The subject lands are already serviced by municipal water and sewage infrastructure.
1.6.6.7.	<p>Planning for stormwater management shall:</p> <p>a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;</p> <p>b) minimize, or, where possible, prevent increases in contaminant loads;</p>	Sewage, Water and Stormwater	No new development is proposed. Future development on the subject lands will be subject to Site Plan Control, through which any changes to drainage and stormwater management will be evaluated.

Policy Number	Policy	Category	Consistency with the Policy
	<p>c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;</p> <p>d) mitigate risks to human health, safety, property and the environment;</p> <p>e) maximize the extent and function of vegetative and pervious surfaces; and</p> <p>f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.</p>		
1.6.7.2.	Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.	Transportation Systems	The subject lands are in close proximity to Kingston Transit Route 7, providing a connection to existing transportation infrastructure.
1.7.	<p>Long-term economic prosperity should be supported by:</p> <p>a) promoting opportunities for economic development and community investment-readiness;</p> <p>b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;</p> <p>c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;</p> <p>d) maintaining and, where possible, enhancing the vitality</p>	Long-Term Economic Prosperity	<p>By widening the range of permitted uses on the subject lands, the proposed Zoning By-Law Amendment will increase business and employment opportunities for future development.</p> <p>The proposal supports the more efficient use of the under-utilized subject lands by permitting a wider variety of land uses that have the potential to create a diverse range of employment opportunities.</p>

Policy Number	Policy	Category	Consistency with the Policy
	<p>and viability of downtowns and mainstreets;</p> <p>e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;</p> <p>f) promoting the redevelopment of brownfield sites;</p> <p>g) providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;</p> <p>h) providing opportunities for sustainable tourism development;</p> <p>i) sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agrifood network;</p> <p>j) promoting energy conservation and providing opportunities for increased energy supply;</p> <p>k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and</p>		

Policy Number	Policy	Category	Consistency with the Policy
	l) encouraging efficient and coordinated communications and telecommunications infrastructure.		
2.1.1.	Natural features and areas shall be protected for the long term.	Natural Heritage	No natural heritage features on or adjacent to the subject property.
2.6.1.	Significant built heritage resources and significant cultural heritage landscapes shall be conserved.	Cultural Heritage and Archaeology	There are no significant built heritage resources or significant heritage landscapes in proximity to the subject lands or on the subject lands.
2.6.2.	Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.	Cultural Heritage and Archaeology	No potential for archeological resources was identified for the subject lands.
3.1.1.	<p>Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:</p> <p>a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;</p> <p>b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and</p> <p>c) hazardous sites.</p>	Natural Hazards	There are no natural hazards within or adjacent to the subject lands.
3.2.1.	Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt	Man-Made Hazards	There are no man-made hazards on or adjacent to the subject lands.

Policy Number	Policy	Category	Consistency with the Policy
	hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.		
4.6.	The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans. Official plans shall identify provincial interests and set out appropriate land use designations and policies.	Implementation and Interpretation	The proposed Zoning By-Law Amendment is consistent with the intent of the Official Plan, as outlined in Exhibit F – Official Plan Consistency.






Planning Services

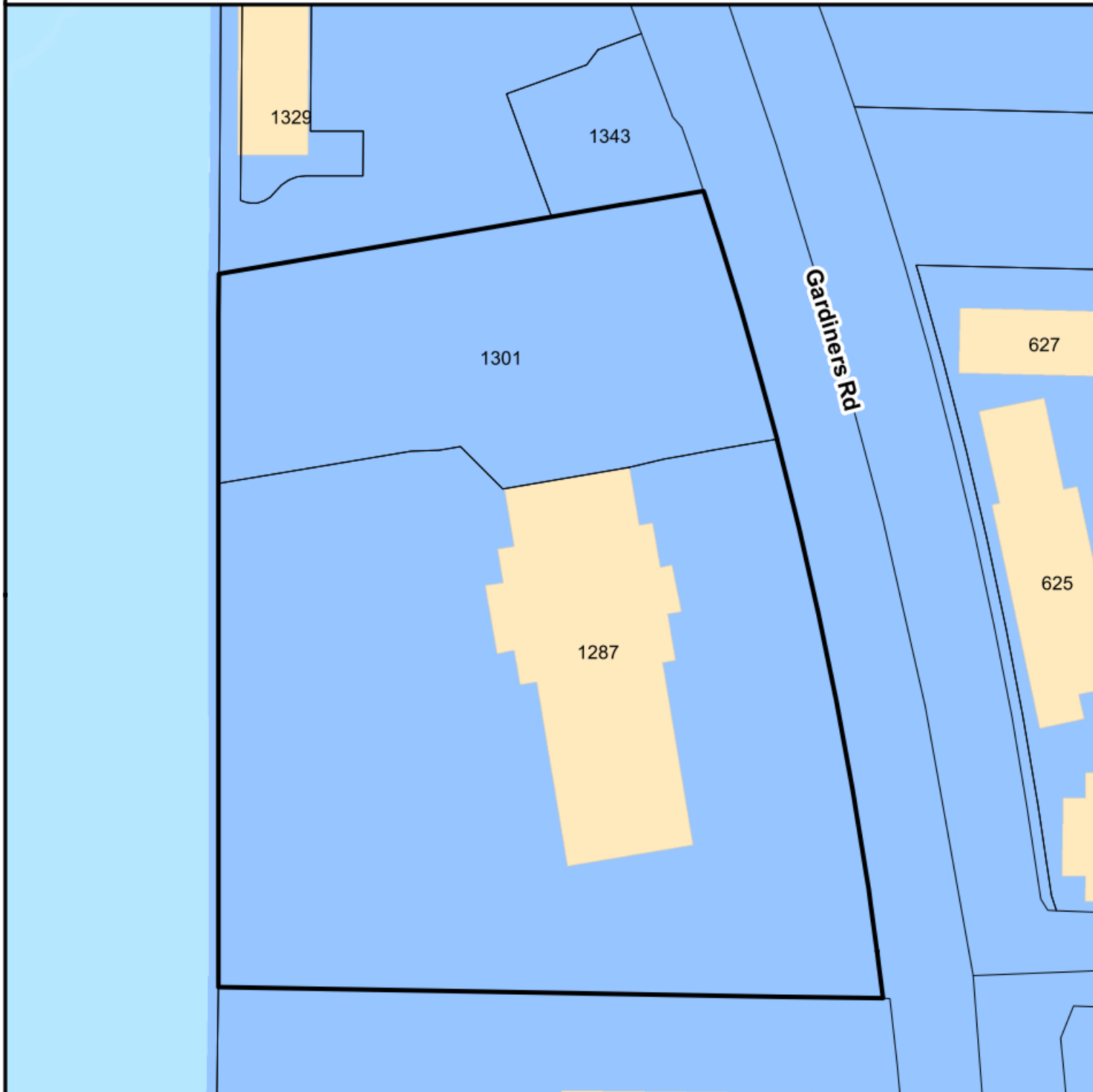
Planning Committee
Official Plan, Existing Land Use

Address: 1287 to 1301 Gardiners Road

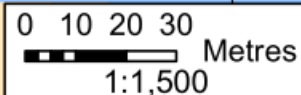
File Number: D14-005-2024

Prepared On: Apr-23-2024

-  Subject Lands
-  BUSINESS PARK INDUSTRIAL
-  GENERAL INDUSTRIAL



Prepared By: Ichu
Prepared On: Apr-23-2024



Demonstration of How the Proposal Conforms to the Official Plan

Policy	Category	Conformity with the Policy
<p>2.1.1. Most growth will occur within the Urban Boundary, shown on Schedule 2, where development will be directed to achieve greater sustainability through:</p> <ul style="list-style-type: none"> a. appropriate (minimum) densities; b. land use patterns that foster transit and active transportation; c. enhanced access to public amenities and spaces for all residents, visitors and workers; f. promotion of employment opportunities and alliances that enhance local skills, educational resources and the use of local products, including food; g. maximized use of investments in infrastructure and public amenities; h. strategies that will revitalize both neighbourhoods and employment areas, and rehabilitate brownfield sites for re-use; j. where possible, the preservation of mature trees for shade and their other beneficial ecological and community effects; 	<p>Urban Areas – Focus of Growth</p>	<p>The subject lands are within the Urban Boundary and located near to transit infrastructure. Additionally, the lands are located in close proximity to the recreational facilities at the City-owned INVISTA Centre and the Caraco Home Field, which are public amenities.</p> <p>No development is currently being proposed for the site, but any future development will utilize existing infrastructure without the need for additional extensions.</p> <p>The proposal supports the development of the subject lands to create a wide variety of employment opportunities.</p> <p>By allowing a wider range of permitted uses on these under-utilized properties, the application supports the Official Plan’s goal of revitalizing employment areas.</p> <p>As no physical development is contemplated for this site as part of the application, no tree removals are required.</p>
<p>2.2.6. Business Districts are primarily intended to accommodate employment opportunities. These include General Industrial and Business Park Industrial designations, as well as the Waste Management Industrial designation and limited retail and service commercial uses that serve business activities. The Norman Rogers Airport is also recognized as</p>	<p>Business Districts</p>	<p>The subject lands are located within the Urban Boundary and are designated as Business Park Industrial. The permitted uses within the proposed M4 Zone are compatible with this land use designation, and meet the intention of Business District areas as defined by the Official Plan. Any future non-residential development on the subject property shall be subject to Site</p>

Policy	Category	Conformity with the Policy
<p>being in a Business District under an Airport designation. Regional Commercial uses and some specialized quasi-commercial uses will be limited to the permitted uses for the specific designations, as described in Section 3. Standards in Business Districts will be sufficiently flexible to allow a ready response to new types of employment uses provided that:</p> <p>a. areas of interface with sensitive uses are addressed so that compatible development is achieved and there is no adverse effect on the sensitive use or to the proposed employment use(s);</p> <p>b. an upgraded visual appearance is maintained at gateways as defined in Section 8.11, along major roads and the interface with any Centre, Corridor or Housing District shown on Schedule 2;</p> <p>c. uses which may involve noise or odour are sufficiently separated, buffered, or screened in accordance with the Ministry of the Environment and Climate Change Guidelines (D-1 and D-6) or any such further regulation implemented by the City, as applicable;</p> <p>d. uses which generate large amounts of traffic or have intensive onsite operations are located in areas that are able to accommodate, or can be improved to accommodate, such activity levels without adverse effects on the planned transportation system, the nearby Housing Districts, Centres or Corridors; and,</p>		<p>Plan Control, at which point specific technical details can be reviewed to ensure there are no land use compatibility concerns.</p> <p>Gardiners Road from Highway 401 is defined as a gateway to the City of Kingston. Maintaining a level of design that supports the streetscape aesthetic envisioned for the Gardiners Road corridor will be reviewed and considered when a specific development is proposed during a Site Plan Control application process.</p> <p>Permitted uses within the M4 zone are not anticipated to create excessive amounts of noise or odour. As part of this rezoning application, a Holding Overlay will be created to require that noise and vibration concerns are addressed prior to development of any noise sensitive uses permitted in the M4 zone.</p> <p>The subject lands benefit from direct access via the Gardiners Road / Fortune Crescent intersection. At a time when specific on-site development is proposed, traffic impacts can be fully assessed and reviewed to the satisfaction of the City.</p> <p>The lands surrounding the subject property contain a balanced mix between commercial uses and industrial, business park employment uses. Given that the proposed M4 zone permits both commercial and employment uses, future development of the subject sites is anticipated to be compatible with surrounding land uses and will not undermine the business park and industrial uses which are the focus of Business Districts.</p>

Policy	Category	Conformity with the Policy
<p>e. regional commercial uses, institutions, recreation or hospitality uses will be restricted to limited locations that will not undermine the business park, industrial or technological uses intended as the focus of Business Districts.</p>		
<p>2.3.1. The focus of the City's growth will be within the Urban Boundary, shown on Schedule 2, where adequate urban services exist, or can be more efficiently extended in an orderly and phased manner, as established by this Plan. Kingston's Water Master Plan and Sewer Master Plan will guide the implementation of the infrastructure planning.</p>	<p>Growth Focus</p>	<p>The subject lands are located within the Urban Boundary, which is the focus of growth. It is intended that future development of the property will re-use existing services.</p>
<p>2.3.7. The City will promote and protect employment areas and pursue increased levels of job creation in the commercial, institutional and industrial sectors in order to foster a diversified and vigorous economic base with a range of opportunities for its residents.</p>	<p>Employment</p>	<p>The proposed rezoning would expand permitted uses appropriate for the subject sites, facilitating a wide array of potential employment opportunities and a more diversified economic base for the City.</p>
<p>2.3.18. Through the prevention and removal of barriers for persons with disabilities, and the application of universal design principles, the City supports and promotes opportunities for all people to access the City and make contributions as citizens. The application of universal design principles in development and renovation is promoted. The City also encourages owners of private properties with public access to do the same.</p>	<p>Principles of Growth – Accessibility</p>	<p>Proposals for future development will have to comply with the Accessibility for Ontarians with Disabilities Act (AODA).</p>
<p>2.4.5. The City has established the following minimum targets for intensification to occur within the Urban Boundary.</p>	<p>Intensification Targets</p>	<p>This proposal supports the City's intensification targets for nonresidential development by encouraging future development</p>

Policy	Category	Conformity with the Policy
<p>b. It is the intent of the City that ten percent (10%) of new nonresidential development occur through intensification.</p>		<p>for 1301 Gardiners Road, which is currently undeveloped and vacant land.</p> <p>Additionally, allowing a wider range of land uses supports intensification of the existing building at 1287 Gardiners Road, a non-residential unit which is not fully occupied.</p>
<p>2.6.1. It is the intent of this Plan to promote development in areas where change is desired while protecting stable areas from incompatible development or types of development and rates of change that may be destabilizing.</p>	<p>Protecting Stable Areas – Stable Areas</p>	<p>The subject property is not located within a Housing District, which are intended to remain stable. The intent of this rezoning application is to promote an appropriate level of development for these under-utilized employment lands which will be compatible with the surrounding commercial and employment uses.</p>
<p>2.7.1. Development and/or land use change must demonstrate that the resultant form, function and use of land are compatible with surrounding land uses.</p>	<p>Compatible Development and Land Use Change</p>	<p>See Section 2.7.3 and 2.7.4.</p>
<p>2.7.3. The land use compatibility matters to be considered under Section 2.7.2 include, but are not limited to:</p> <ul style="list-style-type: none"> a. shadowing; b. loss of privacy due to intrusive overlook; c. increased levels of light pollution, noise, odour, dust or vibration; d. increased and uncomfortable wind speed; e. increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the functionality of active transportation or transit; f. environmental damage or degradation; 	<p>Land Use Compatibility Matters</p>	<p>No physical development is proposed or contemplated as part of this Zoning By-law Amendment application.</p> <p>If new non-residential development is proposed for the subject property, Site Plan Control application will be required. As part of this application, technical details with regards to shadowing, light, noise, traffic, etc. will be assessed and reviewed. Through the Site Plan Control application process, the City may request such technical studies and reports as it deems are appropriate to assess the development proposal's compatibility with surrounding land uses.</p>

Policy	Category	Conformity with the Policy
<p>g. diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;</p> <p>h. reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting;</p> <p>i. visual intrusion that disrupts the streetscape or buildings;</p> <p>j. degradation of cultural heritage resources;</p> <p>k. architectural incompatibility in terms of scale, style, massing and colour; or,</p> <p>l. the loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.</p>		
<p>2.7.4. Mitigation measures may be used to achieve development and land use compatibility. Such measures may include one or more of the following:</p> <p>a. ensuring adequate setbacks and minimum yard requirements;</p> <p>b. establishing appropriate transition in building heights, coverage, and massing;</p> <p>c. requiring fencing, walls, or berming to create a visual screen;</p> <p>d. designing the building in a way that minimizes adverse effects;</p> <p>e. maintaining mature vegetation and/or additional new landscaping requirements;</p> <p>f. controlling access locations, driveways, service areas and activity areas; and,</p>	Mitigation Measures	No development is proposed at this time. At such a time when future development is proposed for these properties, appropriate mitigation measures to ensure compatible development will be implemented based on the Official Plan policies.

Policy	Category	Conformity with the Policy
<p>g. regulating location, treatment and size of accessory uses and structures, lighting, parking areas, garbage storage facilities and signage.</p>		
<p>2.9.1. It is the intent of this Plan to promote economic development and competitiveness by:</p> <p>a. providing an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;</p> <p>b. providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses that support a wide range of economic activities and complementary uses, and takes into account the needs of existing and future businesses;</p> <p>c. planning for, protecting and preserving employment areas for current and future uses;</p> <p>d. ensuring the necessary infrastructure is provided to support current and projected needs; and,</p> <p>e. encouraging the development of business incubators.</p>	<p>Economic Development Strategy</p>	<p>The proposed rezoning of the subject lands allows for greater flexibility in the provision of different types of employment uses. See Section 2.7.1.</p> <p>By encouraging future investment in and development of these under-utilized lands, the proposal encourages opportunities to further a diversified economic base for the City.</p> <p>This rezoning application preserves the subject lands as an employment area while also allowing for a greater range of permitted uses. No expansion of municipal infrastructure is required as part of this application.</p>
<p>3.6.4. The City will take an active role in preserving employment areas for future job growth. A sufficient supply of land designated for employment uses must be maintained within the Urban Boundary in order to meet anticipated short and long-term needs, including an adequate supply of serviced land and an allowance for choice in terms of location, size of property, and servicing needs.</p>	<p>Employment Land Supply</p>	<p>The subject lands will remain as designated employment areas. The effect of the proposed rezoning will be to broaden the types of employment uses which are permitted.</p>

Policy	Category	Conformity with the Policy
<p>3.6.7. Employment areas will be protected from fragmentation, the intrusion of sensitive uses as defined by Ministry of the Environment and Climate Change guidelines, high traffic volumes or through traffic related to retail commercial uses or other land uses, and adverse effects.</p>	<p>Protection of Employment Areas</p>	<p>The proposed rezoning will not fragment the surrounding designated employment area, as the M4 zone will permit employment uses and complementary commercial uses which are appropriate for the surrounding land use context. See Section 3.6.4.</p>
<p>3.6.12. Complementary uses are intended to improve the quality of life and reduce dependence on the private automobile for employees within the employment area by providing support and services in close proximity to employment uses. Complementary uses listed within the Business Park Industrial and General Industrial designations will require a minor variance or zoning by-law amendment, as appropriate, prior to being permitted by the zoning by-law in accordance with the following:</p> <p>a. a minor variance application may be used to establish complementary uses that occupy generally 25 percent of the total floor area of all buildings located on a parcel of land, provided the complementary uses:</p> <ul style="list-style-type: none"> i. will provide a support or service to the employees within the employment area designations that are continuous to the subject parcel and that the support or service cannot be provided from an adjacent land use designation to such employment area; ii. will not hinder or preclude any employment uses from establishing on any lands in 	<p>Employment Areas – Complementary Uses</p>	<p>The complementary commercial uses permitted in the M4 zone are anticipated to be supportive of the surrounding employment and commercial area and will not hinder or preclude the development of any employment uses on nearby lands.</p> <p>The property at 1287 Gardiners Road is already developed with a functional building appropriate for a business park context. Any future development on this property or on the vacant property at 1301 Gardiners Road will be required to adhere to the aesthetic and character of the surrounding lands, as directed by the Official Plan.</p> <p>Potential land uses which are permitted in the proposed M4 zone are anticipated to generate a similar amount of employment opportunities as the existing M1 zone, especially given that there is significant overlap between permitted uses in both zones. See Section 2.3.7.</p> <p>The subject lands are prominent properties on a key arterial road into the City from Hwy 401. See Section 3.6.4 and Section 3.6.7.</p>

Policy	Category	Conformity with the Policy
<p>the employment area designations due to principles of land use compatibility, in accordance with Section 2.7; and</p> <p>iii. will be oriented towards the road frontage and contribute to an attractive and functional employment area.</p> <p>b. a zoning by-law amendment will be required to establish complementary uses that exceeds the threshold established for minor variances in a), including standalone complementary uses, and must demonstrate:</p> <p>i. the criteria listed above in clause a have been satisfied;</p> <p>ii. will result in similar rates of employment as the primary permitted uses, in accordance with Section 2.3.7; and</p> <p>iii. will not contribute to the fragmentation of continuous employment areas by generally being located at entrances or along edges of continuous employment areas that are visible from arterial or collector roads to assist in the transition between the employment uses and surrounding land uses.</p>		
<p>3.6.A.1. The main uses permitted within the Business Park Industrial designation include:</p> <p>a. corporate administrative offices and government offices;</p>	<p>Business Park Industrial – Permitted Uses</p>	<p>The main permitted uses for the Business Park Industrial designation are permitted by the current M1 zoning which applies to the subject lands.</p> <p>As shown in Table 1 of this report under the 'Zoning By-law Discussion' sub-heading, the vast</p>

Policy	Category	Conformity with the Policy
<p>b. research and development facilities, including laboratories;</p> <p>c. data processing facilities, including call centres;</p> <p>d. technologically advanced manufacturing, fabricating, and assembling operations for the production of high value products;</p> <p>e. administrative, professional and technical services, such as engineering and surveying firms, that support the above uses and are consistent with the image and amenity of a Business Park Industrial setting;</p> <p>f. film or recording studio;</p> <p>g. commercial school or training facility, provided the use is contained within an enclosed building(s);</p> <p>h. the following light industrial uses, provided they are contained within enclosed buildings:</p> <ul style="list-style-type: none"> • manufacturing, repairing, fabricating, processing and assembling operations; • construction and transportation activities and facilities; • storage, warehousing, and wholesale trade activities; and, • communications facilities and utilities. <p>i. accessory outdoor storage, subject to the following criteria, all of which must be satisfied:</p> <ul style="list-style-type: none"> • the outdoor storage use does not front onto or abut a public road; • the area used to accommodate outdoor storage, to be limited in the 		<p>majority of these uses will continue to be permitted under the proposed M4 zoning.</p> <p>The sole exception to this overlap of permitted uses is an outdoor storage use, which is permitted in the M1 zone under certain circumstances but is not permitted under the M4 zone.</p> <p>Given that there are many properties adjacent to and nearby the subject lands which do permit outdoor storage, the removal of outdoor storage as a permitted use for 1287 and 1301 Gardiners is not anticipated to create any problems for the surrounding area.</p>

Policy	Category	Conformity with the Policy
<p>zoning by-law, is located to the rear or interior side yard of the property, preferably behind the primary building occupying the site;</p> <ul style="list-style-type: none"> • the outdoor storage use does not abut a lot which contains an existing residential use or lot in a residential zone; • the outdoor storage use does not generate any emissions, dust, or debris that cannot be contained onsite; and, • the outdoor storage area must be screened from view through landscaping and other measures that lessen the visual impact of the use. 		
<p>3.6.A.2. The following uses are permitted as complementary uses within the Business Park Industrial designation:</p> <p>a. office and business services, such as printing and equipment repair, which are intended to serve the Business Park Industrial area;</p> <p>b. day care facilities and/or places of worship, provided that the sensitive use is compatible with the industrial uses in the area and located in such a manner (e.g., on the periphery of an employment area) so that it does not preclude the development potential of adjacent employment lands;</p> <p>c. hotels and/or conference facilities, including banquet halls, trade show buildings, and similar uses to be defined in the implementing zoning by-law;</p> <p>d. restaurants, drive-through facilities, financial institutions, personal services, medical and</p>	<p>Business Park Industrial – Complementary Uses</p>	<p>The proposed M4 zone will enable the development of complementary commercial uses which the Official Plan identifies as being supportive to employment lands. As the lands surrounding the subject properties are primarily used for employment land uses, any future development of complementary commercial uses would serve as an overall benefit to the surrounding Business Park Industrial designated area.</p> <p>In addition to permitting complementary commercial uses, the proposed M4 zone will continue to permit more traditional Business Park Industrial employment uses. See Section 3.6.A.1 above.</p>

Policy	Category	Conformity with the Policy
<p>paramedical uses, and convenience commercial uses;</p> <p>e. public and private parks and recreation facilities;</p> <p>f. parking lots and structures; and,</p> <p>g. sources of renewable energy, subject to the policies of Section 6.2 of this Plan.</p>		
<p>3.6.A.6. In addition to the general development requirements of Section 3.6.15 of this Plan, the following policies also apply to lands designated as Business Park Industrial:</p> <p>a. new development must enhance the character of its surrounding area through appropriate site arrangement and high quality architecture and landscaping;</p> <p>b. building facades must incorporate a mix of building materials and details to provide architectural interest on facades that are visible from public roads;</p> <p>c. less architecturally interesting facades of buildings must be substantially set back and screened from public view by dense landscaping as an alternative to providing architectural detail;</p> <p>d. where function necessitates a basic, box-like building form, exterior design, such as a change in colour, material or plane, must be introduced on exterior facades that are visible from public streets;</p> <p>e. the colour of exterior facades will be in keeping with surrounding industrial buildings, and bright, contrasting colours</p>	<p>Business Park Industrial – Development Criteria</p>	<p>No development is proposed for the subject lands at this time, however, the design for any future proposed development will be reviewed by staff during a Site Plan Control application process to ensure that the development criteria for Business Park Industrial lands is adhered to.</p>

Policy	Category	Conformity with the Policy
<p>will only be used for trims and accents; and,</p> <p>f. a high quality of landscaping must be used to enhance the overall aesthetic of the site, as well as to define the property boundaries and main entrance of the building.</p>		
<p>9.5.9. When considering an application to amend the zoning by-law, the Planning Committee and Council will have regard to such matters as:</p> <p>a. conformity of the proposal with the intent of the Official Plan policies and schedules;</p> <p>b. compatibility of the proposal with existing uses and zones, sensitive uses, the natural heritage system, cultural heritage resources, and compatibility with future planned uses in accordance with this Plan;</p> <p>c. compatibility of proposed buildings or structures with existing buildings and structures, with zoning standards of adjacent sites, with any future planned standards as provided in this Plan, and with any urban design guidelines adopted by the City for the area;</p> <p>d. the extent to which the proposal is warranted in this location and the extent to which areas zoned for the proposed use are available for development;</p> <p>e. the suitability of the site for the proposal, including its ability to meet all required standards of loading, parking, open space or amenity areas;</p> <p>f. the suitability of the density relative to the neighbourhood</p>	<p>Planning Committee / Council Considerations</p>	<p>As outlined throughout this table, the proposal complies with all relevant policies and schedules of the Official Plan.</p> <p>No new development in terms of construction is proposed through this Zoning By-law Amendment application. No new buildings or structures are proposed at this time. The proposed new M4 zoning for this property is compatible with the surrounding uses and zones.</p> <p>Lands in the City of Kingston subject to an M4 zone are quite limited, as there are only five distinct areas in the City which are zoned M4. Given the subject lands' location in a major employment area, the proposed rezoning to a zone which permits both employment and complementary commercial uses is considered to be appropriate.</p> <p>Both properties on the subject lands are unconstrained and large enough to accommodate loading, parking, open space, and amenity requirements. Further, the property at 1287 Gardiners Road already contains a functional building with an approved Site Plan agreement.</p> <p>The proposed Zoning By-law amendment seeks to provide flexibility for potential new occupants and employees to be located within the existing</p>

Policy	Category	Conformity with the Policy
<p>and/or district, in terms of units per hectare, bedrooms per hectare, floor space index, and/or employees per hectare, as applicable;</p> <p>g. the impact on municipal infrastructure, services and traffic;</p> <p>h. comments and submissions of staff, agencies and the public; and,</p> <p>i. the degree to which the proposal creates a precedent.</p>		<p>employment area. The suitability of a specific development proposal in terms of density will be assessed at such a time when a specific development is proposed.</p> <p>As no development is proposed, this application will have no impacts regarding municipal infrastructure, services, or traffic.</p> <p>No City staff or members of external agencies have objected to the applicant's proposal. At the time of writing this report, no public comments have been received.</p> <p>The proposal does not create a precedent, as Planning staff have been supportive of applications to rezone under-utilized commercial and employment lands to stimulate and encourage development and investment.</p>



Figure 1: View of the existing building at 1287 Gardiners Road.



Figure 2: View of the entrance to 1287 Gardiners Road, developed with a ramp for accessibility purposes.



Figure 3: Parking area at the front of 1287 Gardiners Road.



Figure 4: Additional parking area at the rear of 1287 Gardiners Road. The building is also accessible by a rear entrance.



Figure 5: Frontal view of the vacant lot at 1301 Gardiners Road. A parking area is already provided on this lot.



Figure 6: Additional view of the vacant lot at 1301 Gardiners Road.



Planning Committee
Public Notice Notification Map

Address: 1287 to 1301 Gardiners
Road
File Number: D14-005-2024
Prepared On: Apr-23-2024

- 120m Public Notification Boundary
- Subject Lands
- Property Boundaries
- 12 Properties in Receipt of Notice (MPAC)

