

City of Kingston Report to Planning Committee Report Number PC-24-060

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: November 21, 2024

Subject: Recommendation Report

File Number: D14-013-2024

Address: 3055 Princess Street

District: District 3 – Collins-Bayridge

Application Type: Zoning By-Law Amendment

Owner: Krampitz Enterprises Inc.

Applicant: Nancy Krampitz

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 Nancy Krampitz, on behalf of Krampitz Enterprises Inc., with respect to the subject site located at 3055 Princess Street.

The subject property is located on the south side of Princess Street directly west of the intersection with Woodhaven Drive, and between the Woodhaven and Westwood residential neighbourhoods. The property is developed with a house that has a commercial use within a rear addition. The rear addition was subject to a Site Plan Control application in 2007 (D11-29-2007).

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The subject site is designated Residential in the Official Plan. The site is a Red Exception in that it is zoned a site-specific Residential Type 1 Zone 'R1-50' in Zoning By-Law Number 76-26, as amended and Urban Residential 2 (UR2) in Kingston Zoning By-Law Number 2022-62, as amended. The site-specific zone permits 'a photo studio – does not include any form of photo processing'.

The purpose and effect of the proposed Zoning By-Law amendment is to allow for a wider range of neighbourhood commercial uses within the existing buildings on the subject property and bring the property into Kingston Zoning By-Law Number 2022-62. This application proposes to rezone the subject property to Urban Residential Zone 2 (UR2) to permit the existing residential uses and introduce Exception Overlay E177 to recognize the existing photo studio use and expand the list of neighbourhood commercial uses to allow for more flexibility in how the commercial portion of the building can be utilized. The proposed neighbourhood commercial uses include personal service shop, creativity centre, financial institution, office, retail store and wellness centre. No expansion to the existing building is proposed.

The recommended zoning by-law amendment will permit a selection of neighbourhood commercial uses within the existing buildings on this property that are appropriate and compatible with the surrounding area. The site is well suited for neighbourhood commercial uses given its frontage on Princess Street, proximity to an intersection and location between two residential neighbourhoods. Further, the earlier Site Plan Control application demonstrated that this property satisfies the requirements of a well functioning site that is visually compatible with the neighbourhood. The proposal, as assessed through the technical review process, is consistent with the Provincial Planning Statement, conforms to the Official Plan, and represents good land use planning. The application is recommended for approval.

Recommendation:

That the Planning Committee recommends to Council:

That the application for a zoning by-law amendment (File Number D14-013-2024) submitted by Nancy Krampitz, on behalf of Krampitz Enterprises Inc., for the property municipally known as 3055 Princess Street, 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 2022-62) to Report Number PC-24-060; 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, Special Projects	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

Planning Services is recommending the public meeting for the recommendation report at the November 21, 2024, be the only public meeting, Planning Committee meeting based on the following:

- The proposal is compatible with the Provincial Planning Statement (2024) and the Kingston Official Plan;
- The proposal is considered minor in nature;
- The proposal involves an expansion of the neighbourhood commercial uses already permitted on the property and does not contemplate new built development; and
- Combining the Public Meeting and the recommendation report facilitates the streamlining of the development approval process, thereby decreasing application processing time.

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:

Lindsay Reid, Senior Planner – Urban Designer The Corporation of the City of Kingston Planning Services 216 Ontario Street Kingston, ON K7L 2Z3 613-546-4291 extension 3277 Icreid@cityofkingston.ca

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Background and Decision Date

In accordance with By-Law Number 2007-43, this application was subject to a pre-application. Following the pre-application process, a complete application was submitted by the applicant and was deemed to be complete as of September 9, 2024.

In accordance with the *Planning Act*, this application is subject to a decision by Council on or before December 8, 2024, which is 90 days after a complete application was received. In the absence of a decision by Council in this timeframe, the applicant may exercise their right to appeal to the Ontario Land Tribunal (OLT).

Site Characteristics

The subject property is located on the south side of Princess Street directly west of the intersection with Woodhaven Drive (Exhibit B – Key Map). The property has 27.4 metres of frontage on Princess Street and an area of 0.20 hectares. It is developed with house that has a commercial use within the rear portion of the building (Exhibit I – Site Photographs). There is a parking lot with nine parking spaces (including one accessible space) in the front yard. In the side yard is an accessory building. The property has a deep back yard with several mature trees and there are fences along the interior lot lines.

The surrounding area is comprised of residential buildings, commercial uses and open space (Exhibit C – Neighbourhood Context). There are houses immediately north, east and west of the subject property and the property backs onto the Westwoods open space and pond. This stretch of Princess Street is primarily residential with several commercially zoned properties. Nearby commercial uses include an appliance sales and repair store, an automobile repair store, a pharmacy, a dental clinic and a motel. To the north of Princess Street is the Woodhaven Subdivision and to the south is the Westwoods residential neighbourhood with several public and private schools.

This portion of Princess Street has three lanes of traffic with dedicated cycling lanes on either side of the road. A sidewalk was recently constructed along the north side of the street here extending pedestrian access west along Princess Street to Cataraqui Wood Drive/Collins Bay Road. There is a Kingston Transit stop located directly across the street from the subject site that services Route 19 to the Cataraqui Centre and Route 19A to Westbrook. Kingston Transit Route 3 also runs by this site. As noted above, the property backs onto the Westwoods open space and Woodbine Park is within walking distance of the site.

Proposed Application and Submission

The subject property is currently developed with a single building containing a dwelling unit in the front portion (original building) and a commercial unit in the rear addition. The property underwent a zoning by-law amendment in 2001 to permit the existing commercial use which is 'a photo studio – does not include any form of photo processing'. In 2007, there was a site plan agreement entered into in relation to the rear addition which houses the commercial use.

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The purpose and effect of the proposed Zoning By-Law amendment is to allow for a wider range of neighbourhood commercial uses within the existing buildings on the subject property and bring this property into Kingston Zoning By-Law Number 2022.62. This application proposes to rezone the subject property Urban Residential Zone 2 (UR2) to permit the existing residential uses and introduce Exception Overlay E177 to recognize the existing photo studio use and permit other neighbourhood commercial uses. The proposed neighbourhood commercial uses include personal service shop, creativity centre, financial institution, office, retail store and wellness centre.

No expansion to the existing building is proposed.

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

- Letter of Request;
- Site Plan (Exhibit H); and
- Architectural floor plans.

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.

Provincial Planning Statement

The Provincial Planning Statement (2024) 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 the City of Kingston Urban Boundary which would be considered a Settlement Area as defined by the Provincial Planning Statement (PPS). Settlement areas are to be the focus of growth, developed with a mix and range of land uses. The site is currently developed with a residential use and a neighbourhood commercial use – a photo studio. The proposal would permit a wider range of compatible neighbourhood commercial uses intended to support the employment uses on site and in the vicinity, and ultimately support the surrounding residential neighbourhoods. The proposed variety uses will provide for future flexibility in how this building is used and make efficient use of land and resources, through fostering development of a site that is appropriately serviced by municipal water, wastewater, active and public transportation.

The recommended Zoning By-Law amendment is consistent with the Provincial Planning Statement (2024) as it will contribute to the achievement of complete communities and enable flexibility in the economic viability of this property.

A detailed review of how this proposal complies with the applicable policies is attached in Exhibit D.

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Official Plan Considerations

The subject property is located within a Housing District as shown on Schedule 2 – City Structure and is designated Residential in the Official Plan (Exhibit E – Official Plan, Land Use). The property is located along an arterial road (Princess Street) near the intersection with Woodhaven Drive (a local road).

The goal of the residential land use designation is to respond to the housing needs of the City by retaining and augmenting a broad range of housing at all levels of affordability within a safe, convenient and stable setting, organized primarily into neighbourhoods. While residential uses are primarily forms of housing, uses that support residential neighbourhood and are compatible with a residential setting are also permitted. The property is within the City's Urban Boundary and is located within a Housing District as shown on Schedule 2 – City Structure of the Official Plan.

The Residential land use designation allows for small-scale convenience commercial uses or neighbourhood commercial uses on a site-specific basis for a low-rise residential site. Neighbourhood commercial uses include a range of retail uses and personal services that are intended to serve residents within walking distance.

Expanding the neighbourhood commercial uses as proposed will allow for a wider variety of appropriate and compatible neighbourhood commercial uses within the existing building. While the locational criteria for neighbourhood commercial uses indicate that they will generally be located on the corner of a collector street, it is Planning staff's opinion that this location along Princess Street (an arterial road) is appropriate as the property is close to the intersection of Princess Street and Woodhaven Drive, and within walking distance to the Woodhaven neighbourhood to the north and the Westwoods neighbourhood to the south. In addition, the existing site layout generally conforms with the criteria for development considerations set out in the Official Plan (Exhibit F – Conformity with the Official Plan).

The applicant's proposal is considered by Planning staff to be in conformity with the policies of the Official Plan. A detailed review of the applicable policies is attached in Exhibit F.

Zoning By-Law Discussion

The site is a Red Exception in that it is zoned a site-specific Residential Type 1 Zone 'R1-50' in Zoning By-Law Number 76-26, as amended and Urban Residential 2 (UR2) in Kingston Zoning By-Law Number 2022-62, as amended (Exhibit G – Zoning By-Law Number 2022-62). As per recent amendments to the Kingston Zoning By-Law (Report Number PC-24-041), properties identified as a Red Exception must comply with Kingston Zoning By-La Number 2022-62, with permissions that allow for the continued application of former zoning standards in certain circumstances. Where there are site-specific zoning provisions in the former zoning, this will apply; where there is no site-specific zoning provision, the parent zone under the new zoning will apply; and in the instance of a different provision between the former zoning and the new zoning, the less restrictive of the two provisions applies.

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The R1 Zone permits a limited number of residential and non-residential uses including a single-family dwelling house, a converted dwelling house, a home occupation and a public use in accordance with the provisions of Section 5(18). In addition to these uses, the R1-50 Zone permits 'a photo studio – does not include any form of photo processing'. Similar to the R1 Zone, the UR2 Zone permits a limited number of residential and non-residential uses including a house, a semi-detached house, a townhouse, community centre, an elementary school, a library, a museum a pice of worship and a secondary school.

The purpose and effect of the proposed Zoning By-Law amendment is to allow for a wider range of neighbourhood commercial uses on the subject property and bring this property into Kingston Zoning By-Law Number 2022.62. This application proposes to rezone the subject property to Urban Residential Zone 2 (UR2) to permit the existing residential uses and introduce Exception Overlay E177 to recognize the existing photo studio use and expand the list of neighbourhood commercial uses to allow for more flexibility in the future. The proposed neighbourhood commercial uses include personal service shop, creativity centre, financial institution, office, retail store and wellness centre.

One of the effects of the proposed Zoning By-Law amendment is that the permitted uses will align with the terminology of the Kingston Zoning By-Law. The residential uses permitted in the Red Exception do not need to be specified in the new Exception as they are permitted in the UR2 zone or the Specific Use Provisions of the Kingston Zoning By-Law. The 'photo studio – does not include any form of photo processing' use is now permitted as a 'creativity centre' which means "the use of any lot or building as the workplace of a photographer, artist, craftsperson or any other similar creative field, and includes galleries for the display of art for viewing and purchase, and any accessory instruction facilities where such creative field is taught."

The following table provides a comparison of the permitted uses of the site-specific zone with those of the proposed Urban Residential Zone 2 (UR2) and with Exception Overlay E177.

Existing Zone – R1-50	Proposed UR2 Zone	Proposed Exception Overlay – E177
(City of Kingston Zoning By- Law 76-26)	(Kingston Zoning By-Law 2022-62)	(Kingston Zoning By-Law 2022-62)
Section 12 (3) (ax)	Table 11.1.2.	In addition to the uses permitted by the applicable
(a) The following uses only shall	House	Zone, the following
be permitted:	Semi-detached house	complementary commercial uses are permitted:
(i) a single-family dwelling	 Townhouse 	·
house;	Community centre	Creativity centre
	Elementary school	Financial institution

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(ii) a converted dwelling	Library	Office
house;	Museum	 Personal service shop
(iii) a photo studio – does not include any form of	Place of worship	Retail store
photo processing;	Secondary school	Wellness clinic
(iv) a home occupation;		
(v) a public use in accordance with the provisions of Section 5 (18) hereof.		

While the existing building currently has a residential unit in the original building and a commercial unit in the rear addition, approval of this amendment means that over time the existing residential unit could be replaced with a one of the proposed neighbourhood commercial uses, but would be limited to the extent of the existing buildings on the date of passing of this site specific by-law.

Other Applications

There are no other planning applications. There is an open business license application to operate a personal service shop here.

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

A Public Meeting is being held on November 21, 2024, with respect to this application. This Public Meeting will be held concurrently with the submission of this recommendation report. There have been no written public concerns or comments received at time of preparing this report. Any correspondence received before the Public Meeting will be provided to the Committee and the applicant prior to the Public Meeting on November 21, 2024.

Effect of Public Input on Draft By-Law

None as no public comments were received at the time this report was prepared.

Conclusion

The proposed Zoning By-Law amendment application will permit a selection of neighborhood commercial uses within the existing buildings on this property that are appropriate and compatible

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with the surrounding area. This change to allow for more variety in the neighbourhood commercial uses permitted on this property will support the service and retail needs of the surrounding area and afford the Owner with greater flexibility in leasing the commercial portion of the building. This proposal will also have the effect of bringing the subject property into the U2 zone of the Kingston Zoning By-Law and introducing Exception Overlay E177.

This application is consistent with the Provincial Planning Statement, conforms to the intent of the Official Plan, and represents good land use planning, and as such the application is recommended 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 Planning Statement, 2024

Municipal

City of Kingston Official Plan

Zoning By-Law Number 2022-62, as amended

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 75 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 November 12, 2024.

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

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Financial Considerations:

None

Contacts:

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

Lindsay Reid, Senior Planner – Urban Designer, 613-546-4291 extension 3277

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Draft By-Law and Schedules A and B 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

Exhibit H Site Plan

Exhibit I Site Photographs

Exhibit J Public Notice Notification Map

File Number D14-013-2024

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 Kingston Zoning By-law and Introduction of Exception Number E177 (3055 Princess Street))

Passed: [Meeting Date]

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 subject lands are identified as "Not Subject to this By-law" on Schedule 1 of 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 to incorporate the subject lands into the Kingston Zoning By-Law and to introduce a new exception number;

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 'UR2', 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 E177, as shown on Schedule "B" attached to and forming part of this By-Law.
 - 1.3. By adding the following Exception Number E177 in Section 21 Exceptions, as follows:
 - **E177.** 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 neighbourhood commercial **uses** are permitted within the

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buildings which existed as of the date of passing of the amending
by-law introducing this Exception:

- (i) creativity centre;
- (ii) financial institution;
- (iii) office;
- (iv) personal service shop;
- (v) retail store; and
- (vi)wellness clinic.
- 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*.

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes	
City Clerk	
Bryan Paterson	
Mayor	



Schedule 'A' to By-Law Number

Address: 3055 Princess Street File Number: D14-013-2024 Prepared On: Oct-16-2024 Kingston Zoning By-Law 2022-62 Schedule 1 - Zoning Map

Lands to be Zoned UR2

Certificate of Authentication

This is Schedule 'A' to By-Law Number ____, passed this ____day of _____ 202_.





Schedule 'B' to By-Law Number

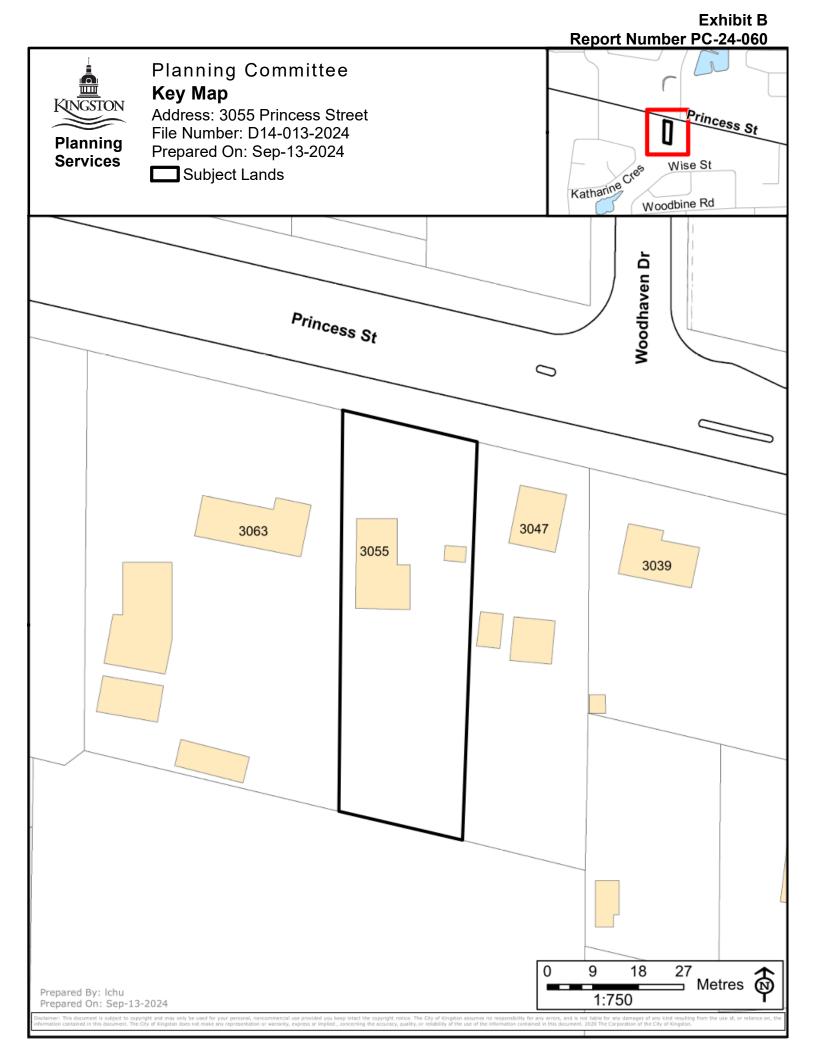
Address: 3055 Princess Street File Number: D14-013-2024 Prepared On: Oct-16-2024 Kingston Zoning By-Law 2022-62 Schedule E - Exception Overlay

Lands to be added as E177

Certificate of Authentication

This is Schedule 'B' to By-Law Number ____, passed this ____day of _____ 202_.



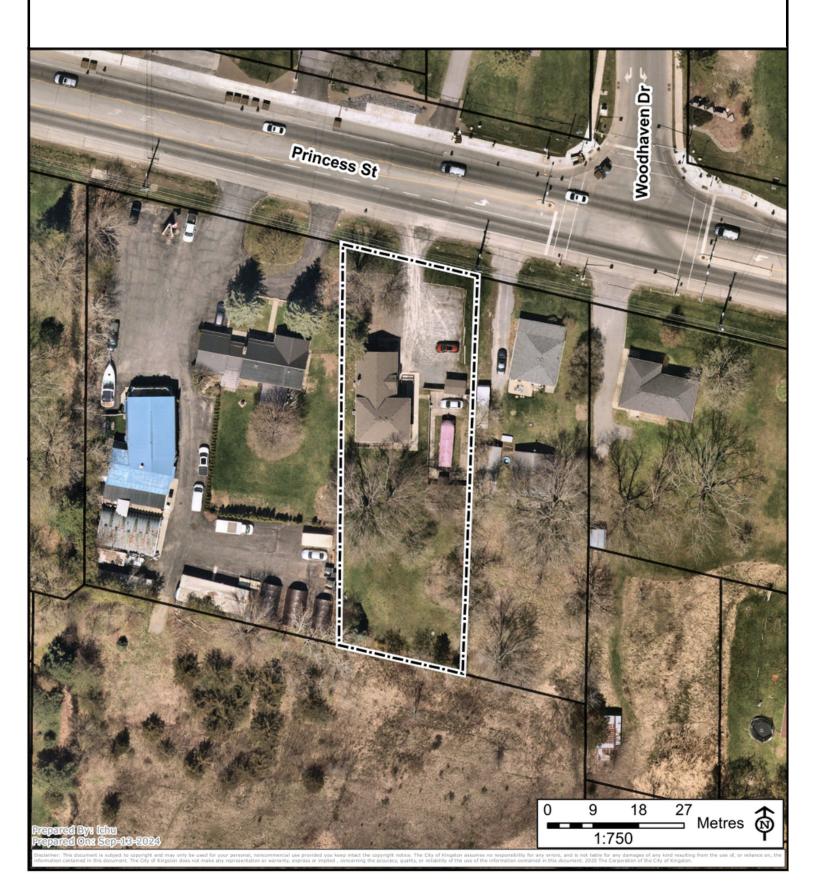




Planning Committee Neighbourhood Context

Address: 3055 Princess Street File Number: D14-013-2024 Prepared On: Sep-13-2024

Subject Lands
Property Boundaries
Proposed Parcels

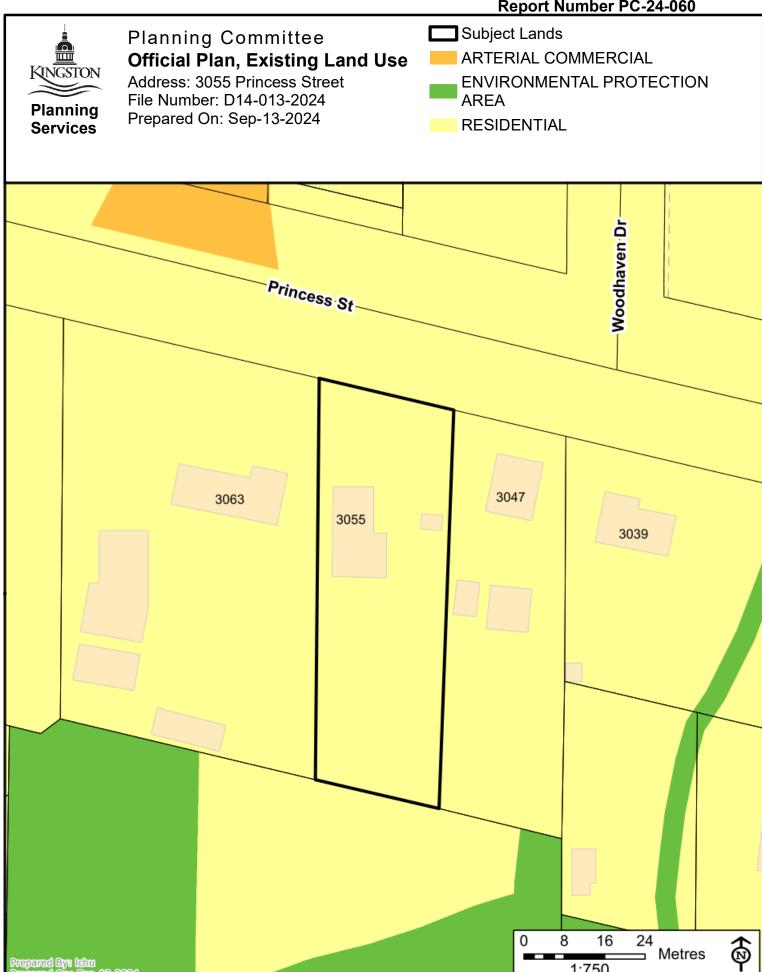


Demonstration of How the Proposal is Consistent with the Provincial Planning Statement (2024)

Policy	Commentary	
2.3 Settlement Areas and Settlement Area Boundary Expansions		
2.3.1.1. Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major	The subject lands are in a settlement area as defined by the Provincial Planning Statement (PPS). The properties are located within the City's urban boundary, where growth and development are directed.	
transit station areas.	The proposal will not facilitate any physical growth, but rather will permit economic development by allowing diversified neighbourhood commercial uses through the proposed Exception Overlay.	
2.3.1.2 Land use patterns within settlement areas should be based on densities and a mix of land uses which: a) efficiently use land and resources;	This proposal makes efficient and cost- effective use of existing infrastructure and public services as the proposed expansion of permitted neighbourhood commercial uses will be contained within the existing building.	
 b) optimize existing and planned infrastructure and public service facilities; c) support active transportation; d) are transit-supportive, as appropriate; and 	The subject property has frontage on an arterial road that supports active transportation. The dedicated bicycle lanes along Princess Street provide infrastructure for cyclists to access the subject property and sidewalks facilitate walking from adjacent residential neighbourhoods.	
e) are freight-supportive.	The property is across the street from a transit stop served by Kingston Transit bus routes making it readily accessible to clients and staff via public transit.	
2.3.1.3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.	The introduction of the proposed neighbourhood commercial uses – creativity centre, financial institution, office, personal service shop, retail store and wellness centre – on this property will increase the range of local stores and services available to those who live within the surrounding area. This is a desired characteristic of a complete community.	
	'Complete community' is a newly defined term in the 2024 PPS. It means places such as mixed-use neighbourhoods that offer and	

Polic	су	Commentary
		support equitable access to the necessities of daily living for all people – a mix of jobs, a range of housing, transportation options, public service facilities, local stores and services.
2.9	Energy Conservation, Air Quality	y and Climate Change
reduce prepa clima	. Planning authorities shall plan to ce greenhouse gas emissions and are for the impacts of a changing ate through approaches that:	No impacts to air quality, climate change, or energy efficiency are anticipated as the proposed expansion of permitted neighbourhood commercial uses will be contained within the existing building.
(a)	support the achievement of compact, transit-supportive, and complete communities;	This change will contribute to a complete community as it will expand the range of
b)	incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities;	stores and services within walking distance of the adjacent neighbourhoods. As noted above, this property is supported by active transportation and transit.
c)	support energy conservation and efficiency;	
d)	promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and	
e)	take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.	

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Demonstration of Conformity to the Official Plan

Policy	Category	Review
2.1.1. Most growth will occur within the Urban	Strategic Policy Direction, Urban	The subject lands are located within in the Urban Boundary.
Boundary, shown on Schedule 2, where development will be directed to achieve greater sustainability through:	Areas - Focus of Growth	The development facilitated by this zoning by-law amendment will achieve sustainability objectives by permitting personal service and convenience retail uses near
a. appropriate (minimum) densities;		residential land uses on a parcel that is on full municipal water and
b. land use patterns that foster transit and active transportation;		sanitary services, has access to public transit services and active transportation infrastructure, and is adjacent to the Westwoods Open
c. enhanced access to public amenities and spaces for all residents, visitors and workers;		Space and walking distance to Woodbine Park. This aligns with the goals of supporting highly walkable neighbourhoods and maximizes investments in infrastructure and
d. opportunities for sharing resources such as parking, utilities, and the land base for locally grown produce,		public amenities. As there are no changes outside of the existing building and no changes to the existing mature tree are anticipated.
in the form of urban agriculture, as well as educational, recreational or cultural assets;		There are no natural heritage features on the subject property according to schedule 7 or 8 of the Official Plan and as a result, fostering development on the
e. direction of new development and key land uses to areas where they can best result in sustainable practices;		subject lands avoids encroachments into the natural heritage system. Given the site's proximity to the Cataraqui Woods Creek and the Riparian Corridor, this application was circulated to the
f. promotion of employment opportunities and alliances that enhance local skills, educational resources and the use		CRCA who indicated that they have no concerns about this proposal.

Pol	icy	Category	Review
	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;		
i.	parks that are planned to be accessed by urban residents within a ten minute walk and situated in locations that lessen the need for pedestrians to cross an arterial road or major highway;		
j.	where possible, the preservation of mature trees for shade and their other beneficial ecological and community effects;		
k.	climate positive development;		
I.	promotion of green infrastructure to complement infrastructure;		
m.	encouraging a mix of land uses that provide for employment, education, personal service and convenience retail in close proximity to residential land uses, subject to compatibility		

Policy	Category	Review
matters as outlined in Section 2.7; and,		
 n. an ecosystem approach to protecting the natural heritage system. 		
2.2.5. Housing Districts are planned to continue to mature and adapt as the	City Structure - Housing Districts	The subject property is in a Housing District as shown on Schedule 2 – City Structure.
City evolves in a manner than ensures land use compatibility while supporting the construction of new housing. Reinvestment and upgrading will be encouraged through minor infilling and minor development. Housing Districts will be designated for residential uses of different types, but will also		The recommended zoning by-law amendment conforms with the intent of Housing Districts; it is a minor change that is compatible with the surrounding area. It maintains the existing residential uses on the property while permitting a wider range of compatible neighbourhood commercial uses to serve the local area.
contain areas of open space, community facilities and commercial uses.		The proposed mix of residential and commercial uses are permitted as per the Residential designation and as set out in Section 3.3.2. As applies here, Section 3.3.2 permits appropriate and compatible, small-scale convenience commercial uses on a site-specific basis on a low-rise residential site with consideration of the policies in Section 3.4.F.
		This proposal is minor as: it maintains the existing residential uses; it does not result in any expansion of the existing building; and the existing site-specific zone permits a neighbourhood commercial use. The existing photo studio is considered a 'creativity centre' under the Kingston Zoning By-Law and is a permitted use in a Neighbourhood Commercial zone.

Policy	Category	Review
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.	Principles of Growth - Growth Focus	The property is within the City's defined urban boundary and is fully serviced. No expansion of water or sewer services are required to support the development.
2.5.10. In order to foster sustainability within the City and reduce reliance on the automobile, the City will make efficient use of the existing infrastructure and provide the facilities and services to encourage active transportation and transit as priority modes before providing new road infrastructure in order to satisfy travel demand. While the automobile will continue to be the primary mode of transportation in the City, other, more active forms of transportation will be aggressively promoted to maximize existing road capacity and improve environmental conditions.	Phasing of Municipal Infrastructure and Transportation - Strategic Direction to Promote Active Transportation	The subject property is connected to surrounding residential neighbourhoods through sidewalks and signalized intersections with pedestrian crosswalks. It is on a road with dedicated cycling lanes and serviced by transit routes.
2.5.11. The use of transit will be supported and encouraged through the development of mixed-use areas and mixed-use buildings, the development of Corridors and more intense mixed-use Centres,	Phasing of Municipal Infrastructure and Transportation - Transit Priority	The subject property has direct access to Kingston Transit routes.

Policy	Category	Review
and through the increase of densities within newer areas, compatible uses and infill with complementary uses, and appropriate development of underutilized and brownfield sites.		
 2.9.1. It is the intent of this Plan to promote economic development and competitiveness by: a) providing an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs; b) providing opportunities for a diversified 	Economic Development – Economic Development Strategy	The proposed zoning by-law amendment will provide a greater mix of appropriate and compatible neighbourhood commercials to serve the surrounding area.
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;		
c) planning for, protecting and preserving employment areas for current and future uses;		
d) ensuring the necessary infrastructure is provided to support current and projected needs; and,		

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e) encouraging the development of business incubators.		
3.3.2 Where appropriate and compatible, small-scale convenience commercial uses are allowed within	Residential Uses – Neighbourhood Commercial	This proposal to provide small-scale commercial uses on this low-rise residential property was found to be appropriate and compatible.
apartment buildings or on a site specific basis on a low-rise or mid-rise residential site. Section 3.4.F provides detailed policies for neighbourhood commercial uses.		It satisfies the intent and criteria set out in Section 3.4.F and the land use compatibility considerations in Section 2.7.
3.4.F.1. Neighbourhood commercial uses include a limited range of local retail uses or personal services intended to provide convenience goods and services to a limited market. Small take-out restaurants and live-work units are also permitted.	Neighbourhood Commercial – Permitted Use	The proposed commercial uses include the following defined neighbourhood commercial uses: creativity centre, financial institution, office, personal service shop, retail store, and wellness clinic.
3.4.F.2. The neighbourhood commercial land use is intended to provide small-scale convenience goods and services catering to residents in the immediate area who are generally within walking distance, and for this reason, such uses are not shown on Schedule 3 of this Plan.	Neighbourhood Commercial – Function	The subject property is located between and within walking distance to the residential neighbourhoods of Woodhaven to the north and Westwoods to the south. The recently constructed sidewalks along Princess Street facilitate pedestrian access to this property along this arterial road.
3.4.F.3. Neighbourhood commercial uses are typically small plazas or	Neighbourhood Commercial – Form	The subject property includes a commercial use – a photo studio – within an existing house.
free-standing establishments. In older areas of the City, neighbourhood commercial uses are also found in		This does not contribute to a cluster of neighbourhood commercial uses. The zoning along this length of Princess Street is primarily Urban Residential 2 (UR) with some

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mixed use buildings containing one or more residential units above the commercial floor space. A cluster of neighbourhood commercial uses will include no more than four individual uses on independent sites.		Arterial Commercial (CA) properties.
3.4.F.4. The number of locations and size of neighbourhood commercial establishments that are permitted will be strictly limited and will be sufficient only for the convenience needs of the local area. Neighbourhood commercial uses are not intended to be used to expand any other Commercial designation of this Plan.	Neighbourhood Commercial – Form	The subject property is well located to serve the local area. Other commercial uses located nearby and along Princess Street (an arterial road) are on lots zoned Arterial Commercial.
3.4.F.5. Neighbourhood commercial uses will generally be located on the corner of a collector street. The residential amenity of the surrounding neighbourhood will be maintained or enhanced through design, accessibility, limited size of uses, siting of parking or service areas, landscaping, lighting, and access locations. Such matters will	Neighbourhood Commercial – Location Criteria	While the locational criteria for neighbourhood commercial uses indicate that they will generally be located on the corner of a collector street, this location along Princess Street (an arterial road) is appropriate as the property is close to the intersection of Princess Street and Woodhaven Drive, and within walking distance to the Woodhaven neighbourhood to the north and the Westwoods neighbourhood to the south.
be regulated through site plan control review.		The existing development was subject to a site plan control review in 2007. The property fits in with the low-rise residential development predominant along this length of Princess Street. There is an accessible parking space and entrance to the commercial use, the commercial uses are within the rear

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		section of the existing building, the site is landscaped with clearly delineated access and parking making it easy to navigate. The existing site layout generally conforms with the criteria for development set out in Section 3.4.F.6.
3.4.F.6. Any proposal for a new neighbourhood commercial use in a Residential designation shall be assessed subject	Neighbourhood Commercial – Criteria for Development	The development satisfies the compatibility considerations set out in Section 2.7. The existing site design generally
to the following considerations: a) the proposed commercial use must demonstrate compatibility with adjacent residential uses as outlined in Section 2.7 of this Plan; b) buffering may be required between a proposed neighbourhood commercial use and abutting residential uses; c) advertising and associated signs and exterior lighting must be designed and situated on the site so as to be compatible with adjoining residential uses; d) the placement of all signage must be in accordance with the		 No new buffering is required as this permission to increase the variety of uses is not anticipated to change the intensity of use on this site as no building expansion is proposed. On site signage is a post sign near the street and a sign at the entrance to the commercial use. There is no outdoor storage related to commercial use. There is an existing parking area with nine parking spaces including an accessible space in the front yard. The principal entrance faces and is visible from the street. The building and site design is compatible with that of the streetscape. The site is easy to access and navigate, and generally has a pleasant appearance.

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e) outdoor storage of goods and materials is not permitted; f) parking is encouraged to be located at the rear or side of buildings; g) the principal entrance must be oriented to the street; h) building and site design must complement and contribute to a safe and desirable neighbourhood character; and i) a convenient, accessible and appealing streetscape is encouraged between the front of the building and the street curb.		
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.	Land Use Compatibility Principles - Compatible Development and Land Use Change	The application demonstrates that the proposed development will be compatible with surrounding residential and commercial area in terms of form and function. This development brings no changes to the built form.
2.7.2. The demonstration of compatible development and land use change must consider the potential for adverse effects and matters that have the potential to negatively impact the character, planned function and/or ecological integrity of an area, and the health and safety of humans. Where there exists a potential for negative impacts, a land use compatibility study, focused	Land Use Compatibility Principles - Compatible Development and Land Use Change	See Section 2.7.1.

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specifically on the identified land use compatibility matters, will be required.			
2.7.3. The land use compatibility matters to be considered under Section 2.7.2 include, but are not limited to:	Compatibility expansion to or changes to building exterior meaning to use Compatibility is no risk of impacts related	Compatibility Principles - Land Use Compatibility	This proposal will result in no expansion to or changes to the building exterior meaning that there is no risk of impacts related to shadowing, overlook, wind,
a. shadowing;		environmental damage or degradation, service, the enjoyment	
b. loss of privacy due to intrusive overlook;		of outdoor areas, visual intrusion, architectural compatibility or	
c. increased levels of light pollution, noise, odour, dust or vibration;		stormwater management. The variety of neighbourhood commercial uses proposed brings no increase to the levels of light	
d. increased and uncomfortable wind		pollution, noise, odour, dust or vibration nor intensity of traffic.	
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;		There are no cultural heritage resources or natural features on this site.	
f. environmental damage or degradation;			
g. diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;			
h. reduction in the ability to enjoy a property, or the normal amenity associated with it,			

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	including safety and access, outdoor areas, heritage or setting;		
i.	visual intrusion that disrupts the streetscape or buildings;		
j.	degradation of cultural heritage resources;		
k.	architectural incompatibility in terms of scale, style, massing and colour;		
I.	the loss or impairment of significant views of cultural heritage resources and natural features and areas to residents; or		
m.	adverse effects on neighbouring properties related to stormwater management or drainage		
may deve com mea	4. Mitigation measures be used to achieve elopment and land use patibility. Such sures may include one nore of the following:	Land Use Compatibility Principles - Mitigation Measures	No mitigation measures are required. This property is already subject to a site plan agreement related to the existing neighbourhood commercial use and rear addition for this purpose.
	ensuring adequate setbacks and minimum yard requirements;		
	establishing appropriate transition in building heights, coverage, and massing;		

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C.	requiring fencing, walls, or berming to create a visual screen;		
d.	designing the building in a way that minimizes adverse effects; maintaining mature vegetation and/or additional new landscaping requirements;		
e.	controlling access locations, driveways, service areas and activity areas; and,		
f.	regulating location, treatment and size of accessory uses and structures, lighting, parking areas, garbage storage facilities and signage.		
pro long	6. Only development posals that meet the g-term needs of the	Land Use Compatibility Principles - Land	As noted, there is no change to the site layout, building exterior or site servicing.
occ	nded users or upants will be ported. Proponents,	Use Compatibility Principles - Functional Needs	The existing site is subject to a site plan agreement and functions well.
whe indi sing buil time will den sati the occ met	ether developing vidual buildings on a gle site, or multiple dings being built at one e or phased over time, be required to nonstrate to the sfaction of the City that functional needs of the upants or users will be to by providing:	T differential recess	No concerns were raised as part of the technical circulation.
a.	suitable scale, massing and density in relation to existing built fabric;		

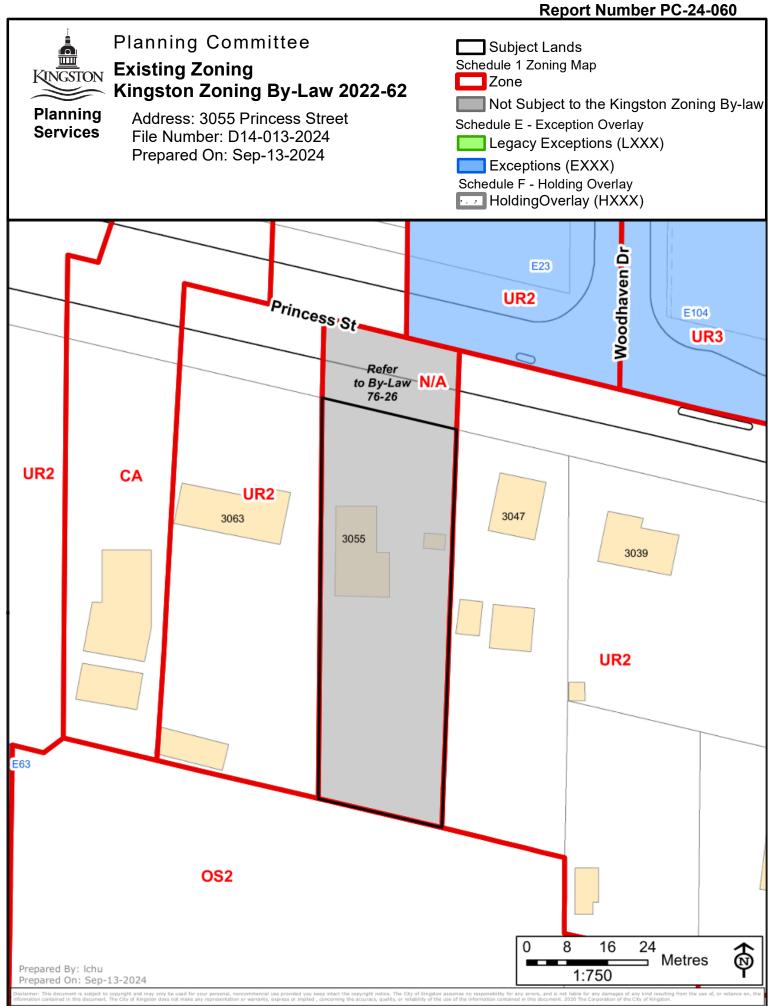
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b.	appropriate landscaping that meets or improves the characteristic green space amenity of the site and surroundings and enhances the City's tree planting program;		
C.	adequate land area and appropriate site configuration or provision for land assembly, as required;		
d.	efficient use of municipal services, including transit;		
e.	appropriate infill of vacant or under-utilized land; and,		
f.	clearly defined and safe: site access; pedestrian access to the building and parking spaces; amenity areas; building entry; and, parking and secure and appropriate bicycle facilities.		
neig use pro to p sco stud	c.F.8. Where a new ghbourhood commercial is proposed, the ponent may be required prepare a limited or ped market justification dy and impact essment for Council's esideration that:	Neighbourhood Commercial – Market Justification and Impact Assessment	No market justification study was requested as a neighbourhood commercial use has been operating here since this use was originally permitted in 2001 and there is an existing site plan agreement.
a)	describes the proposed use, proposed floor area, parking and site plan arrangement;		

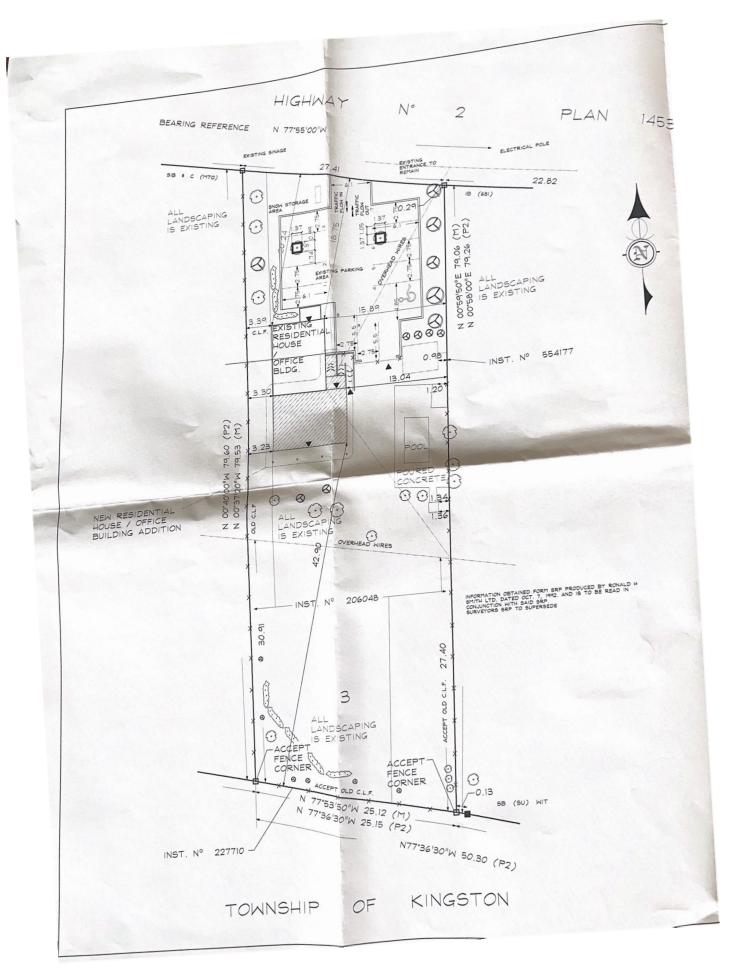
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 b) sets out the market area and population proposed to be served; and, c) includes an inventory of all commercial uses within, and close to, the proposed market area, including their uses and floor area. 		
4.1.1. New development will proceed only if the City is satisfied that adequate services, roads, and utilities are available, or can be made available, to serve the proposal adequately. In determining the adequacy of servicing, utility systems, or the transportation system, the City will consider not only the proposal, but also the potential for development that exists in the same service area.	Infrastructure and Transportation - New Development	This proposal to increase the variety of commercial uses within the existing buildings on this property does not require any change to how the site is accessed and services.
9.5.9. When considering an application to amend the zoning by-law, the Planning Committee and Council will	Zoning By-Law Amendments, Planning Committee/Council	The proposal conforms to applicable sections of the Plan as described in this table. No Official Plan amendment is required.
have regard to such matters as:	Considerations	The proposal to increase the variety of neighbourhood commercials
a. conformity of the proposal with the intent of the Official Plan policies and schedules;		uses on the subject property is appropriate and compatible with the surrounding area. This change will make this property more flexible to
b. compatibility of the proposal with existing uses and zones, sensitive uses, the natural heritage system, cultural heritage resources,		serve the service and retail needs of the area. The property has an existing site plan agreement which demonstrates that it is suitable for the proposed uses, and no new servicing or infrastructure is required to facilitate this change as demonstrated through technical

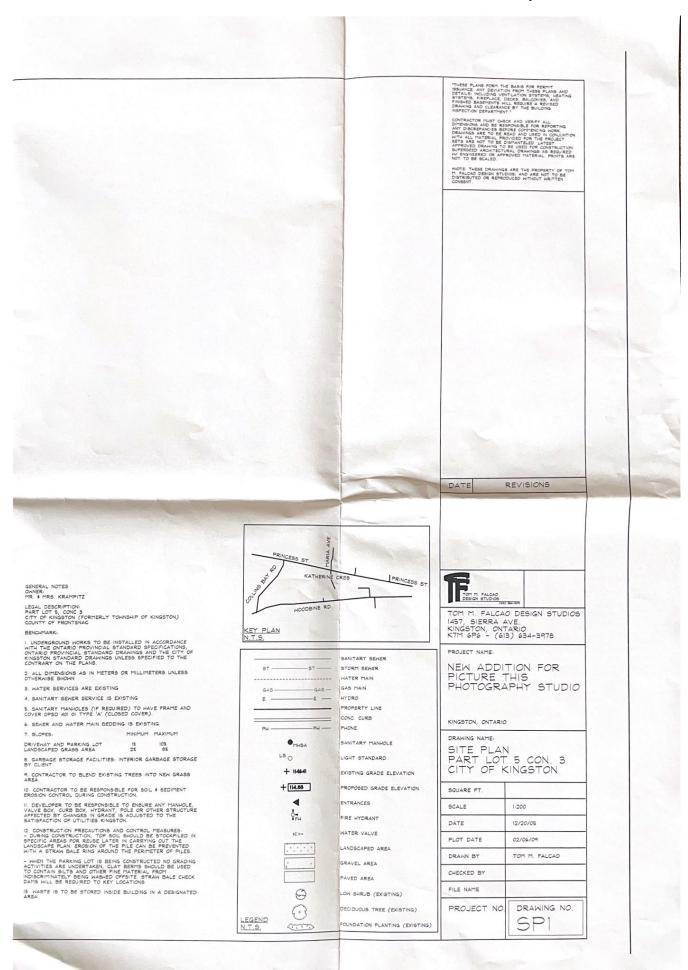
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and compatibility with future planned uses in accordance with this Plan;		circulation with city departments and the CRCA. In terms of precedent, this application demonstrates how
c. compatibility of proposed buildings or structures with existing buildings 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;		future proposals to transition other red exception neighbourhood commercials uses in the Kingston Zoning By-law will be considered.
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;		
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;		
f. the suitability of the density relative to the neighbourhood and/or district, in terms of units per hectare, bedrooms per hectare, floor space index, and/or employees per hectare, as applicable;		
g. the impact on municipal		

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	infrastructure, services and traffic;		
h.	comments and submissions of staff, agencies and the public; and,		
i.	the degree to which the proposal creates a precedent.		







Site Photographs - October 15, 2024



Figure 1: Subject property as viewed from the Woodhaven Drive intersection



Figure 2: Looking east towards subject property



Figure 3: Princess Street, west of subject property with a mix of residential and commercial uses.

