



**City of Kingston
Report to Planning Committee
Report Number PC-24-049**

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: September 5, 2024
Subject: Community Meeting Report
File Numbers: D35-003-2024, D14-009-2024 & D14-011-2024

Council Strategic Plan Alignment:

Theme: 1. Support Housing Affordability

Goal: 1.1 Promote increased supply and affordability of housing.

Theme: 5. Drive Inclusive Economic Growth

Goal: 5.3 Diversify Kingston's economic base.

Executive Summary:

The following is a Community Meeting Report enclosing information about the following applications that will be subject to a Community Meeting at Planning Committee, with a presentation by the applicant:

- Address: 181-183 Union Street (File Number D14-009-2024, Application Type: zoning by-law amendment)
- Address: 1519 Shira Drive & Northwest Corner of Cataraqui Woods Drive and Bayridge Drive (File Number D35-003-2024, Application Type: Official Plan and zoning by-law amendments)
- Address: 73 Sydenham Street (File Number D14-011-2024, Application Type: zoning by-law amendment)

September 5, 2024

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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:

Community Meeting

The purpose of the Community Meeting is to provide the applicant with an opportunity to present a development proposal in the early stages of the development process and to seek feedback from the public and members of Planning Committee before a recommendation is made. Anyone who attends a Community Meeting may present an oral submission, and/or provide a written submission on the proposals being presented.

A Community Meeting Form (completed by the applicant) and a standard map package showing the location of the subject site, and relevant Official Plan land use designation and zoning information for each proposal is included as an exhibit to this report, as follows:

- 181-183 Union Street, File Number D14-009-2024 (Exhibit A)
- 1519 Shira Drive 1519 Shira Drive & Northwest Corner of Cataraqui Woods Drive and Bayridge Drive, File Number D35-003-2024 (Exhibit B)
- 73 Sydenham Street, File Number D14-011-2024 (Exhibit C)

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.

The Planning Committee will consider a recommendation from Planning Services, respecting the subject application, at a future meeting. The public is provided an additional opportunity to make oral submissions on the matter at the time the Committee considers the recommendation report from staff. The Committee will make its recommendation to City Council at the future meeting.

All persons who made oral or written submissions, or have requested notification in writing, will be given written notice of the future meeting(s) of the Planning Committee at which time the subject application will be considered. Anyone wishing to be notified of Council’s decision on the subject application must submit a written request to:

181-183 Union Street, File Number D14-009-2024

Niki Van Vugt, Intermediate Planner
The Corporation of the City of Kingston
Planning Services
216 Ontario Street
Kingston, ON K7L 2Z3
613-546-4291 extension 3253
nvanvugt@cityofkingston.ca

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1519 Shira Drive & Northwest Corner of Cataraqui Woods Drive and Bayridge Drive, File Number D35-003-2024

Ian Clendening, Senior Planner
The Corporation of the City of Kingston
Planning Services
216 Ontario Street
Kingston, ON K7L 2Z3
613-546-4291 extension 3126
iclendening@cityofkingston.ca

73 Sydenham Street, File Number D14-011-2024

Amy Didrikson, Senior Planner
The Corporation of the City of Kingston
Planning Services
216 Ontario Street
Kingston, ON K7L 2Z3
613-546-4291 extension 3296
adidrikson@cityofkingston.ca

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.

Existing Policy/By-Law:

Planning Act

Provincial Policy Statement, 2020

City of Kingston Official Plan

Kingston Zoning By-Law Number 2022-62

By-Law Number 2007-43, A By-Law to require Development Proponents to Pre-Consult with The Corporation of the City of Kingston respecting Planning Matters

September 5, 2024

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Notice Provisions:

Pursuant to the requirements of the *Planning Act*, a notice of the Statutory Public Meeting was provided by mail to all property owners (according to the latest Assessment Rolls) within 120 metres of the subject properties and a notice sign was posted on the subject properties. A courtesy notice was also placed in The Kingston Whig-Standard on September 2, 2024.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

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

Niki Van Vugt, Intermediate Planner, 613-546-4291 extension 3253

Ian Clendening, Senior Planner, 613-546-4291 extension 3126

Amy Didrikson, Senior Planner, 613-546-4291 extension 3296

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Community Meeting Form, Application Materials and Map Package for 181-183 Union Street (File Number D14-009-2024)

- Exhibit B Community Meeting Form, Application Materials and Map Package for 1519 Shira Drive 1519 Shira Drive & Northwest Corner of Cataraqui Woods Drive and Bayridge Drive (File Number D35-003-2024)

- Exhibit C Community Meeting Form, Application Materials and Map Package for 73 Sydenham Street (File Number D14-011-2024)



City of Kingston Community Meeting Form

Note to Applicant: This Form is to be completed by the Applicant and is intended to provide a detailed description of the site, locational context and the proposed application as the basis for a Community Meeting at Planning Committee. The only supplementary information that will be provided by Staff for the Community Meeting is a map package (location, Official Plan, zoning, etc). Please keep residents and members of Planning Committee in mind when completing this form by ensuring that all information is thorough, detailed and understandable. Where a field is not applicable to the site or proposal, please indicate "N/A". Since this Form will be attached as an exhibit to a staff report, this Form must be completed in a manner that is accessible. Please refrain from using formatting or tables that are not accessible. If this form is completed in a manner that is not accessible, it may result in delays to the timing of the Community Meeting and may require staff to make amendments or adjustments prior to attaching the form as an exhibit to a staff report.

Owner/Application Information

Owner: Top Point Development Inc.

Applicant (if Owner is not the Applicant): Arcadis

Site Characteristics

Site address: 181-183 Union Street

Site area: 1779 square metres

Description of existing use and buildings on site (height, floor area, units, bedrooms, parking spaces, setbacks, etc): The subject lands are currently developed with a two-and-a-half-storey converted dwelling that spans both properties and contains a total of 7 units. Four units are located at 181 Union Street and three units are located at 183 Union Street accommodating a total of 20 bedrooms. The unit mix of the existing dwellings are as follows: one (1) one-bedroom unit, three (3) two-bedroom units, two (2) four-bedroom units and one (1) five-bedroom unit. The rear yard of 183 Union Street also contains a small shed and a garage abutting the municipally owned laneway to the west, which is accessed via Collingwood Street.

Official Plan designation: Residential

Zoning by-law (zone and other relevant schedules and overlays):

Schedule 1: Urban Residential Zone 5 (UR5)

Schedule 2: Parking Area 3

Schedule B: Intake Protection Zone

Schedule D1 (Second Residential Unit Holding Overlay): Sewer Surcharging (Combined Storm and Sewer)

Schedule D2 (Third Residential Unit Holding Overlay): Sewer Surcharging (Combined Storm and Sewer)

Existing number of trees: 13

Number of existing trees to be retained: To be determined

Description of heritage status (not a heritage building, listed, designated or located in a heritage conservation district): No heritage status

Description of Surrounding Uses and Buildings

East: Low-rise residential, commercial, and institutional (Queen's University)

West: Low-rise residential

North: Low-rise residential

South: Low-rise residential

Description of Proposal

Summary description of the proposal (use, height, floor area, setbacks, units, bedrooms, condominium, rental, affordability level, parking and bike spaces, will existing building or any existing features be retained/renovated/demolished etc.):

The proposed development consists of a one-and-a-half-storey, four-unit dwelling to be built in the rear yard of the existing converted dwelling. The proposed building is situated such that two units are located on the 181 Union Street property and two units are located on the 183 Union Street property, with each unit having its own external entrance. From a Building Code perspective, it will function as a semi-detached dwelling with two units in each "side" of the dwelling. This would result in a total of six units on the property at 181 Union Street and five units at 183 Union Street for a combined total of 11 units. Each new unit is proposed to contain four bedrooms, for a total of 16 bedrooms added to the site and a resulting total of 36 bedrooms across the two properties after development.

The existing shed and garage at 183 Union Street are proposed to be demolished and replaced with a surface parking lot that spans both properties. The proposed parking lot will provide 11 parking spaces including one Type A accessible space and one visitor space. The parking lot will be accessed from the City-owned laneway that connects to Collingwood Street. Eleven bicycle parking spaces are also proposed, including four long-term spaces. A total of 281 square metres of outdoor communal amenity space is proposed across both properties. A wood privacy fence is proposed along all interior lot lines and rear lot lines adjacent to the rear yard, except where it would inhibit access to the parking lot.

Type of Application: Zoning By-law Amendment (ZBA)

Proposed use: Residential

Proposed number and type of residential units and bedrooms (if residential): Four units are proposed to be added to the site, each containing four bedrooms.

Proposed gross floor area (of each use): 107 square metres (1152 square feet) per unit

Proposed height: 6.58 metres / one-and-a-half storeys

Proposed setbacks:

Front: Approximately 60 metres

Interior: 2 metres

Exterior: N/A

Rear: 7.5 metres

Proposed number of vehicular parking spaces (include breakdown of occupant, visitor, car-share, accessible, etc): 11 parking spaces: 9 standard occupant spaces, one Type A accessible space, and one visitor space

Proposed number of bicycle parking spaces: 11 bicycle parking spaces including 4 long-term spaces

Proposed landscaped open space: 889 square metres / 50%

Proposed amenity area (if residential): 281 square metres

Proposed number of trees to be planted: To be determined

Description of how the application conforms with the Official Plan:

The subject site is designated 'Residential' on Schedule 3A of the Official Plan. This designation permits the proposed residential infill development (3.3.7), which represents

a continuation of the existing medium density residential use of the site and is supported by adequate parking and amenity area as well as close proximity to services, open space amenities, educational centres, commercial amenities, public transit access, and adjacent residential areas (3.3.B.2). Further, the proposed development meets the compatibility criteria of Section 2.7 including, but not limited to, shadowing, overlook, traffic, and architectural compatibility.

While not technically an “Additional Residential Unit” (ARU) given the number of units already on-site, the proposed detached dwelling located in the rear yard is consistent with the principle of rear yard development established by ADU’s and meets the policy tests for this form of development (3.3.11) aside from the maximum number of units. The proposed dwelling is smaller in height and massing than the existing dwelling, is suitable for the size of the combined parcel, and is in line with other detached additional residential units on the block.

Overall, the proposed Zoning By-law Amendment maintains the intent of the Official Plan as it is aligned with achieving the sustainability and residential growth goals outlined by the City of Kingston and is consistent with the intent of the overall direction for growth and development within the City. More specifically, the proposed development is located in an intensifying residential area within the urban boundary, will utilize planned municipal infrastructure and service facilities, and will efficiently develop an underutilized parcel of land within the urban area of the City.

A detailed review of the application against the applicable policies is included in the Planning Justification Report submitted with the application, which is accessible on DASH.

If located in an area that is subject to Official Plan policies related to source water, *natural heritage system, natural heritage features and areas, hazards, cultural heritage resources, areas of archaeological potential, or areas of archaeological significance, description of how the proposal will conform with the policies:*

Section 5 of the Official Plan aims to manage natural and human-made hazards in a manner that protects human life and health. A Noise Study was required in light of the site’s proximity to an arterial road. The Noise Study concluded that, given the noise levels due to the available traffic data from the City of Kingston, the noise levels calculated at the on-site sensitive receiver locations are below the daytime and nighttime exclusion limit criteria outlined in NPC-300. Based on these results, MECPs guidelines do not indicate the need for controls to be provided for the proposed development.

The subject lands are located in an area of highly vulnerable aquifer described in Section 5.A.5 but the proposed use does not constitute a drinking water threat and as such the proposed development does not pose a risk to source water.

Section 6.1 of the OP identifies the importance of protecting natural heritage features in the municipality, which are identified on Schedules 7 and 8 in the OP. There are no natural heritage features on or adjacent to the subject lands, and as such, no natural heritage features will be impacted by the proposed development.

Section 7 speaks to the significance of the heritage and archaeological resources that can be found in the City of Kingston. There are no cultural heritage features on or directly adjacent to the subject lands, although there are two Part IV designated heritage properties on the same block, to the east (169 Union Street and 218 Albert Street). The proposed development is not anticipated to have any impact on the existing heritage properties given its location in the rear yard of the existing building and one-and-a-half-storey height. It will therefore not be visible from the street. A Stage 1 & 2 Archaeological Assessment was completed in support of the proposed development and it was determined that the subject lands do not contain any significant archaeological resources.

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

The subject property is currently zoned 'UR5' Urban Residential Zone 5 in Zoning By-Law Number 2022-62. The UR5 Zone does not permit the proposed form of development, and as such, it is required that the subject lands be rezoned. The subject application proposes to rezone the site to a 'URM3' Urban Multi-Residential Zone 3 with a site-specific Exception Overlay, which would introduce specific performance standards related to the proposed development. It is noted that while there are two distinct properties involved, the lands have been viewed as one lot for zoning purposes and have been assessed against provisions for an "apartment building" given the atypical site layout. Proposed site-specific amendments are as follows:

Section	Provision	Requirement of the URM3 Zone	Proposed
Table 12.1.2	Permitted Uses	Apartment building, duplex, single detached house, triplex, community centre, day care centre, elementary school, library, museum, place of worship, secondary school	Converted dwelling containing seven units (existing) Detached four-unit dwelling
Table 12.4.1 – 10.	Maximum number of principal buildings per lot	(a) residential buildings: 1	2

Section	Provision	Requirement of the URM3 Zone	Proposed
Table 12.4.1 – 11.	Maximum Building Depth	(a) residential buildings: 18 m (c) Despite (a), the rear wall of the principal building must not be closer than 7.5 metres to the rear lot line	Existing seven-unit residential building: as existing Proposed four-unit residential building: maximum building depth does not apply, building is not closer than 7.5 metres to the rear lot line
Table 12.4.1 – 12.	Maximum number of principal dwelling units per lot	6 units	181 Union: 6 units 183 Union: 5 units Total: 11 units
Table 7.1.1. – 1.(a)(ii)	Minimum parking requirement – car-share spaces	0.05 per dwelling unit = 1 space	0 spaces
Table 7.1.1. – 1.(a)(iii)	Minimum parking requirement – visitor spaces	0.15 per dwelling unit = 2 spaces	1 space

Other information that would be valuable for a Community Meeting: Please refer to the Planning Justification Report submitted with this application for additional images of the site and proposed development, a summary of all supporting studies, a detailed review of the application against Provincial Policy Statement and Kingston Official Plan policies, a zoning table illustrating all proposed amendments, and detailed justification for each amendment.

List of Drawings/Studies Submitted

- Conceptual Site Plan
- Floor Plans

- Architectural Elevations
- Planning Justification Report
- Servicing Report
- Stormwater Management Report
- Tree Inventory Study
- Noise Study
- Stage 1 & 2 Archeological Assessment

Community Meeting Form Prepared by: Arcadis

Date: July 24, 2024



Planning
Services

Schedule 'A' to By-Law Number

Addresses: 181-183 Union St
File Number: D14-009-2024

Kingston Zoning By-Law 2022-62 Schedule 1 - Zoning Map

 Lands to be Rezoned from UR5 to URM3

Certificate of Authentication

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

Mayor Clerk





Planning Services

**Schedule 'B'
to By-Law Number**

Addresses: 181-183 Union Street
File Number: D14-009-2024

**Kingston Zoning By-Law 2022-62
Schedule E - Exception Overlay**

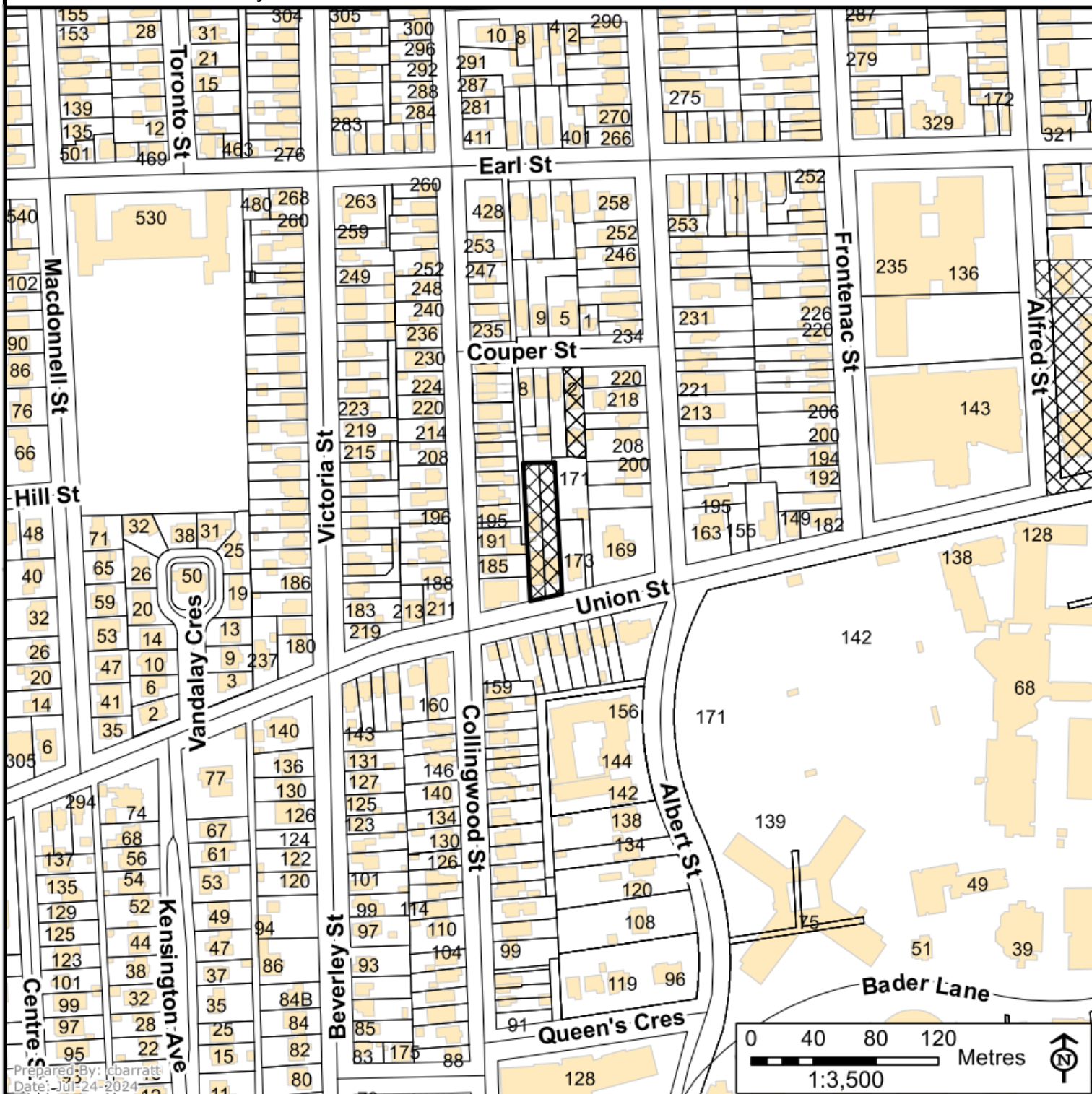
☒ Lands to be added as EXXX

Certificate of Authentication

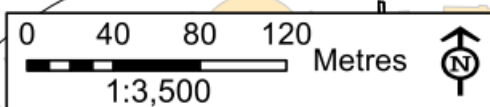
This is Schedule 'B' to By-Law Number _____, passed this _____ day of _____ 202_.

Mayor

Clerk



Prepared By: cbarratt
Date: Jul 24-2024



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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 ‘UR5’ to ‘URM3’ Zone and Introduction of Exception EXXX (181-183 Union Street))

Passed:

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 ‘UR5’ to ‘URM3’, 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 ‘EXXX’, as shown on Schedule “B” attached to and forming part of this By-Law;
 - 1.3. By adding the following Exception Number EXXX in Section 21 – Exceptions, as follows:

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

 - (a) The lands subject to this Exception are deemed to be one **lot** for the purposes of interpreting zoning provisions;
 - (b) A maximum of two **residential buildings** in the form of a four unit building and a seven unit **building**, is permitted;
 - (c) The maximum number of **dwelling units** per **lot** is 11;
 - (d) The minimum **separation distance** between the **main walls** of the **residential building** is 30 metres;

- (e) The maximum **building depth** of the seven unit **residential building** shall be as existing on the day of the passing of this by-law. The maximum **building depth** shall not apply to the four unit **residential building**; and,
 - (f) Minimum required number of **Visitor** and **Car-Share Spaces**:
 - (i) 0 **car-share spaces**;
 - (ii) 1 **visitor space.**”
2. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

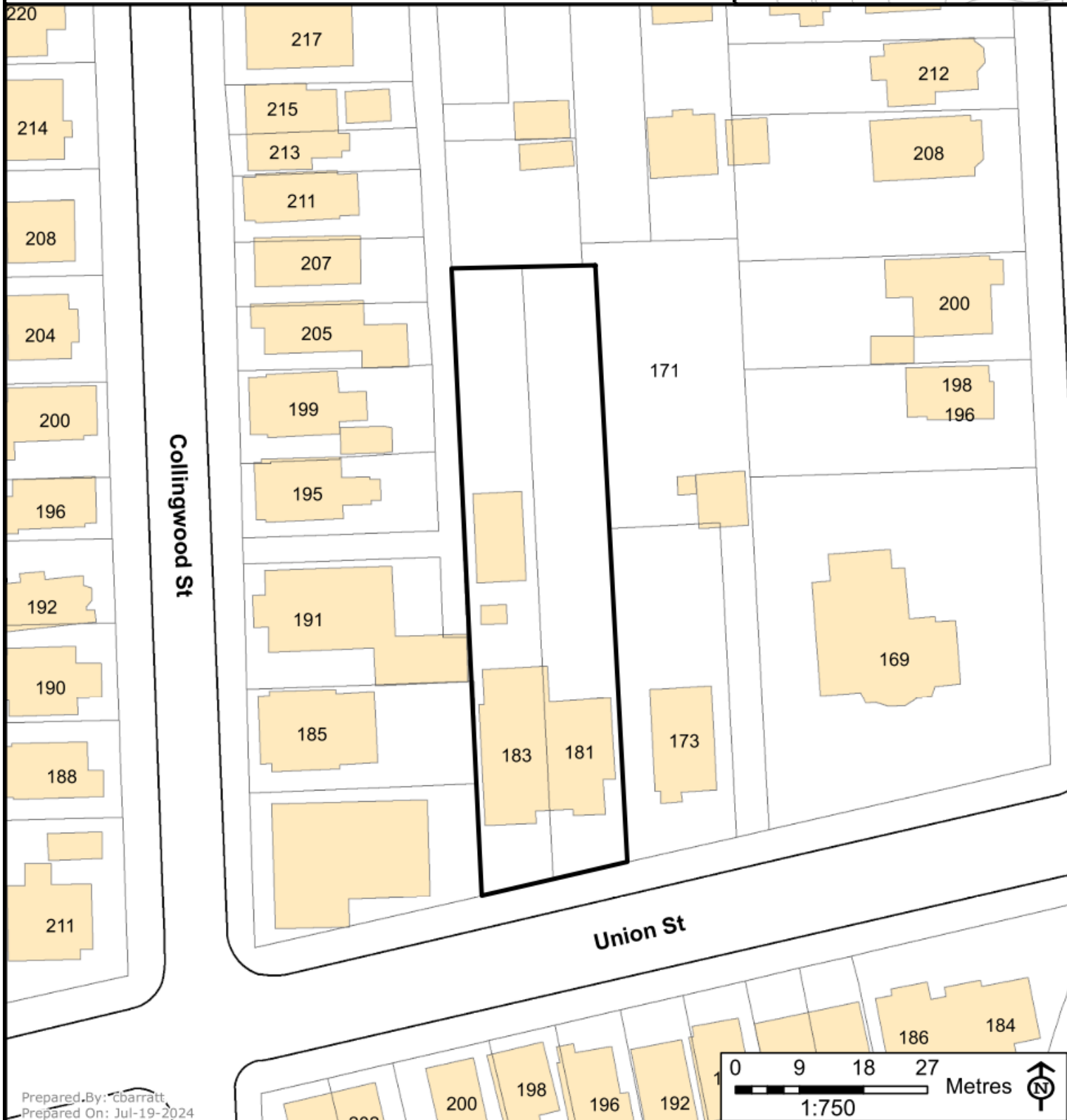
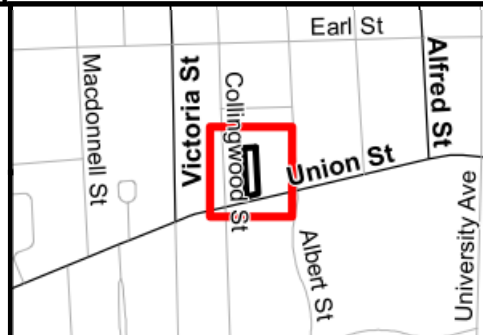
Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes
City Clerk

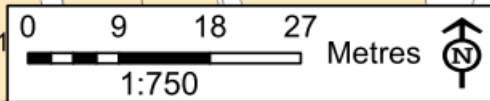
Bryan Paterson
Mayor



Planning Committee
Key Map
Address: 181-183 Union Street
File Number: D14-009-2024
Prepared On: Jul-19-2024
☐ Subject Lands



Prepared By: Cbarratt
Prepared On: Jul-19-2024

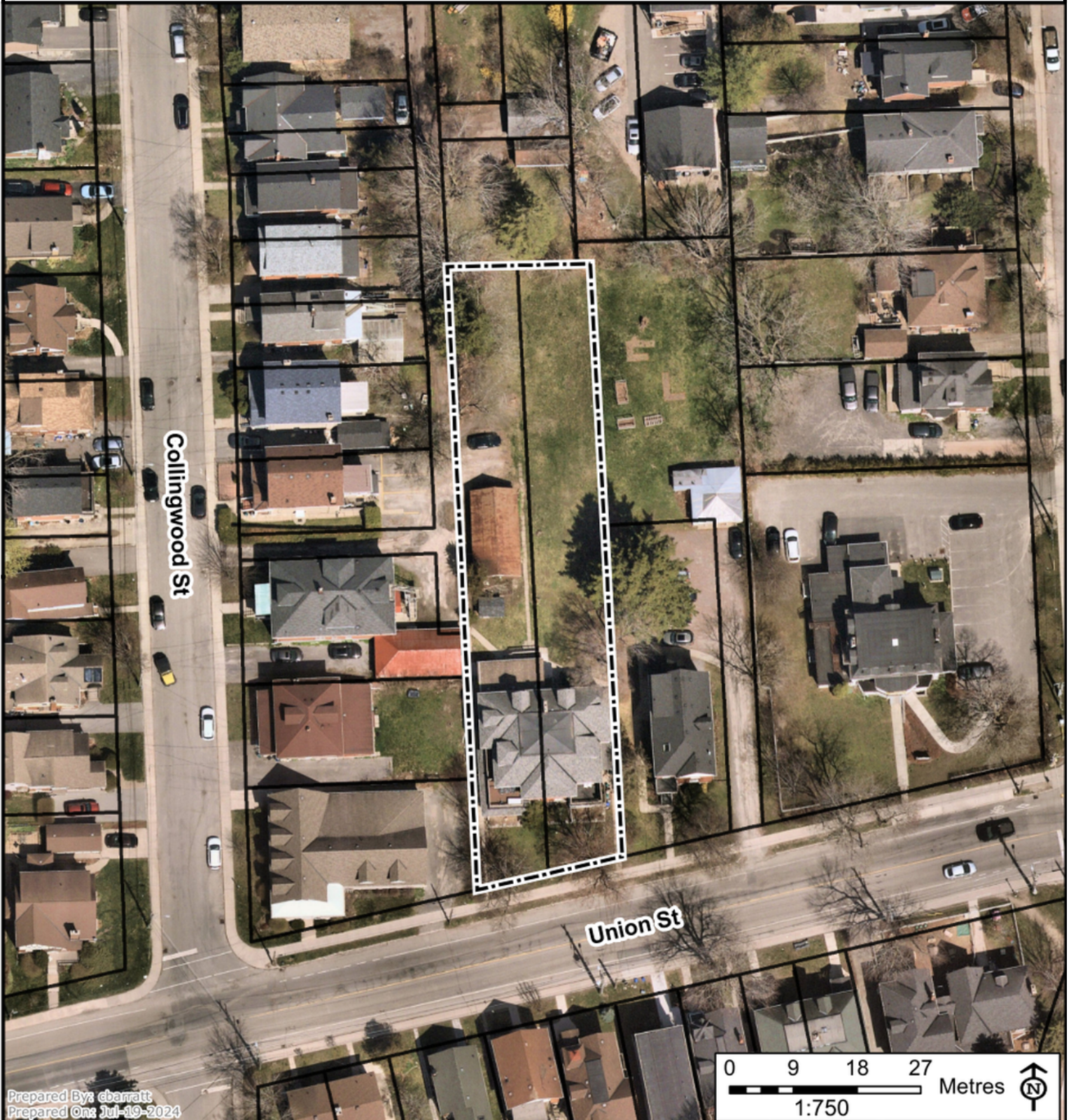




Planning Committee Neighbourhood Context

Address: 181 & 183 Union Street
File Number: D14-009-2024
Prepared On: Jul-19-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



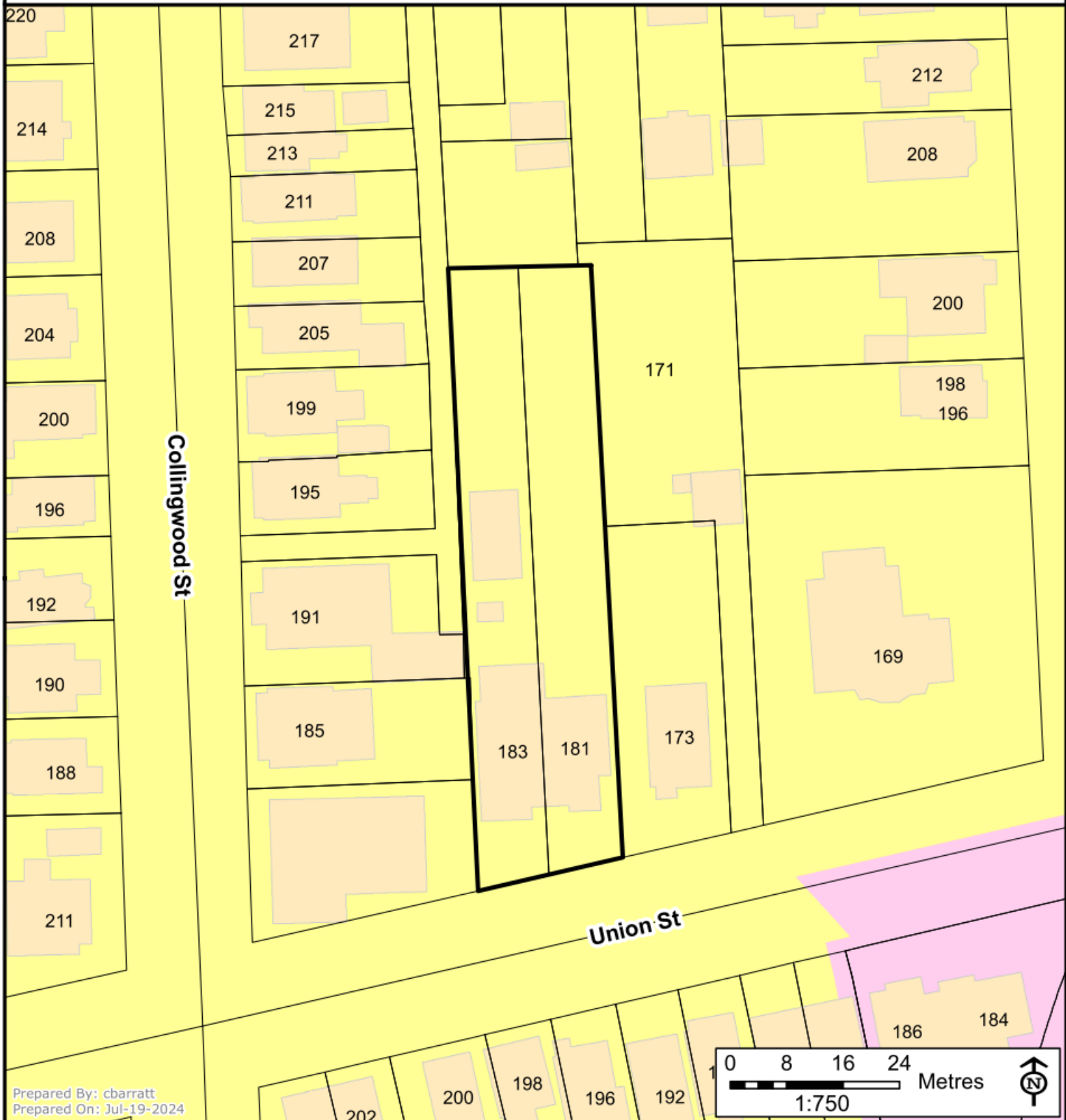
Prepared By: ebaratt
Prepared On: Jul-19-2024

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Planning Committee
Official Plan, Existing Land Use
Address: 181 & 183 Union Street
File Number: D14-009-2024
Prepared On: Jul-19-2024

- Subject Lands
- INSTITUTIONAL
- RESIDENTIAL



Prepared By: cbarratt
Prepared On: Jul-19-2024



Planning Committee

Existing Zoning

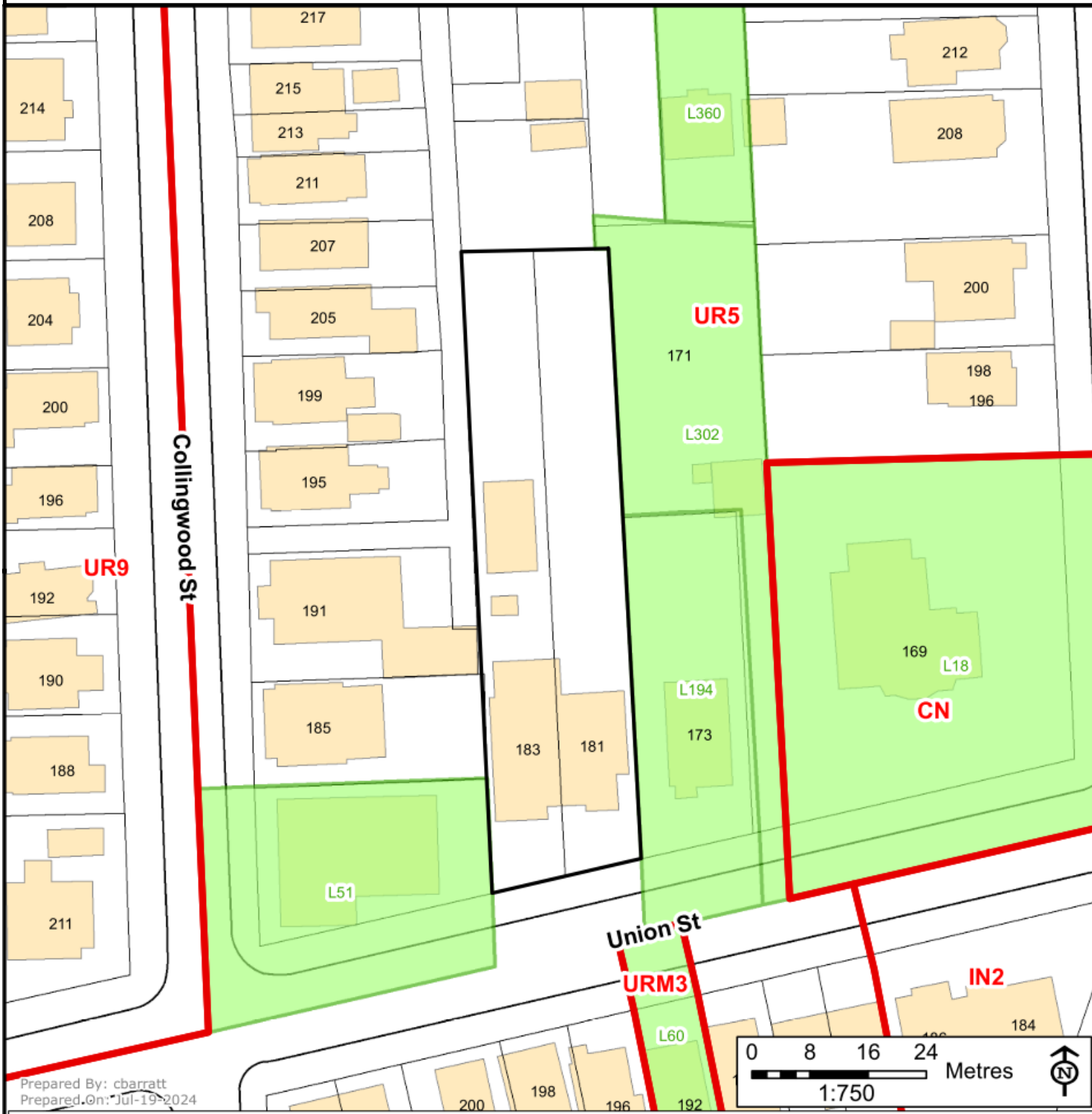
Kingston Zoning By-Law 2022-62

Planning Services

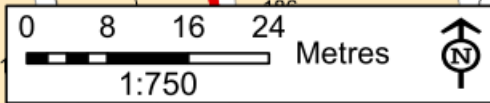
Address: 181 & 183 Union Street
File Number: D14-009-2024
Prepared On: Jul-19-2024

Subject Lands
 Schedule 1 Zoning Map
 Zone

Schedule E - Exception Overlay
 Legacy Exceptions (LXXX)
 Exceptions (EXXX)
 Schedule F - Holding Overlay
 Holding Overlay (HXXX)



Prepared By: cbarratt
Prepared On: Jul-19-2024



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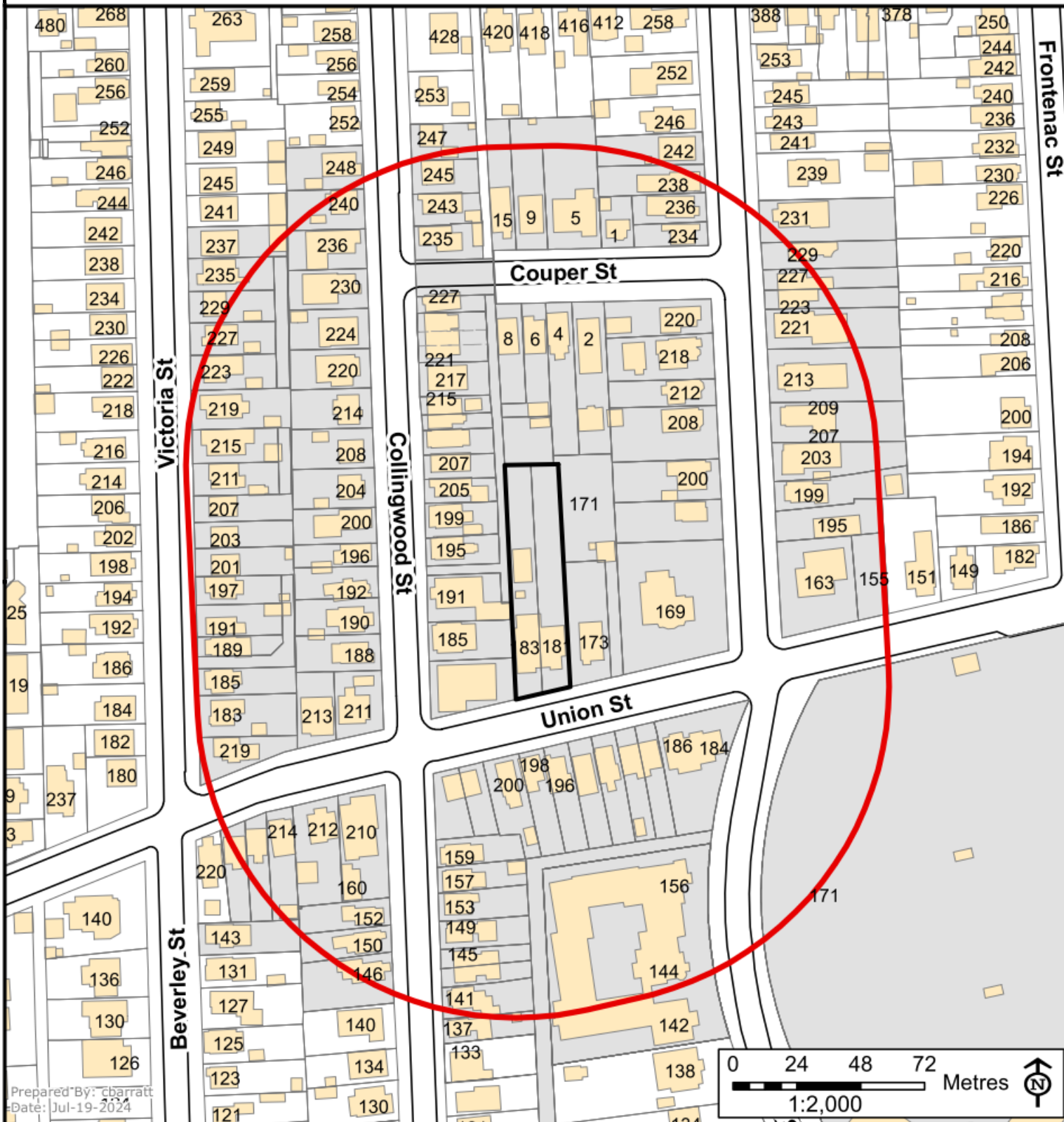


Planning
Services

Planning Committee Public Notice Notification Map

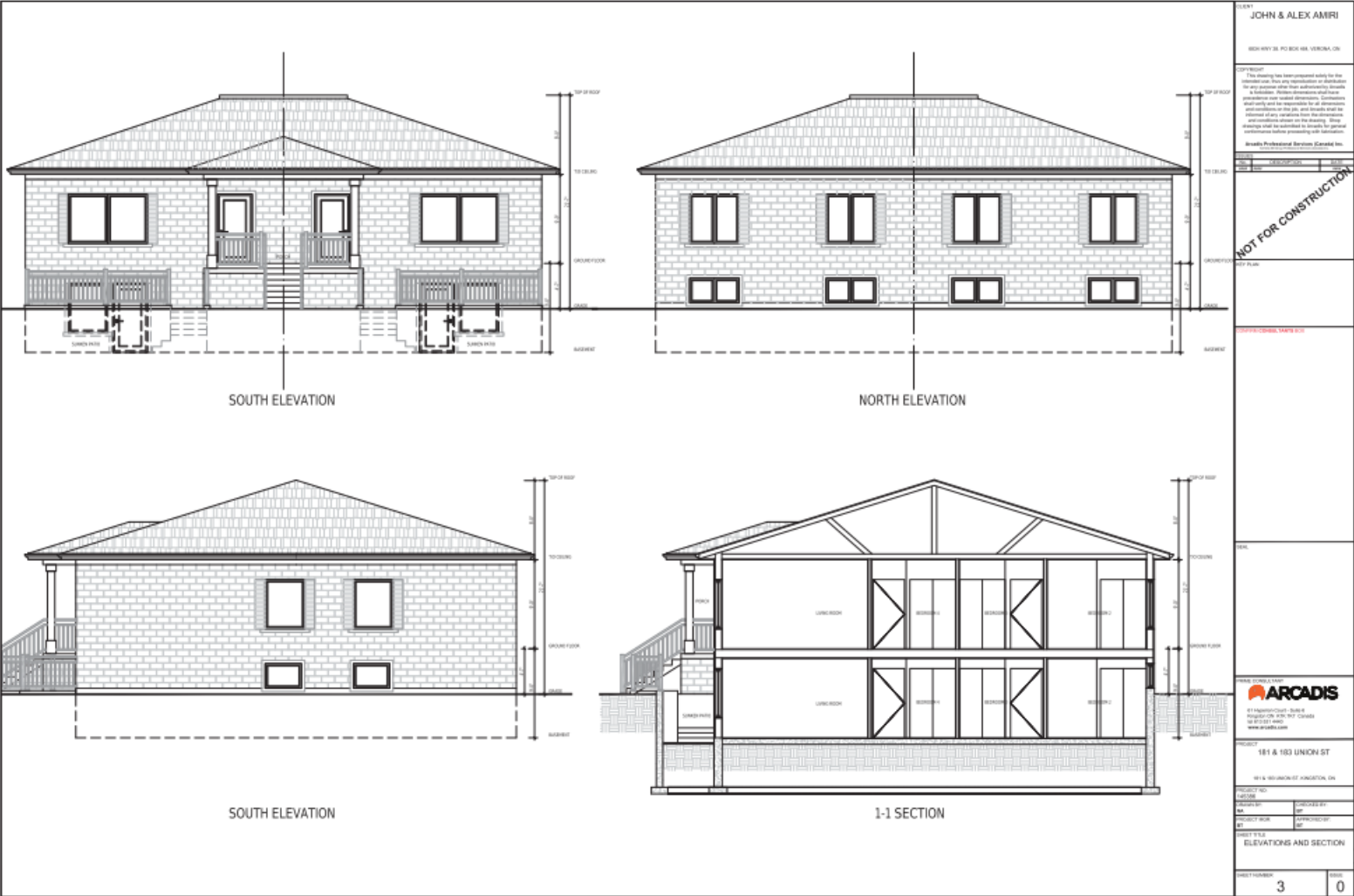
Address: 181 & 183 Union Street
File Number: D14-009-2024
Prepared On: Jul-19-2024

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



Prepared By: cbarratt
Date: Jul-19-2024

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CLIENT JOHN & ALEX AMIRI	
ADDRESS 181 & 183 UNION ST	
CITY ARCADIS	
PROJECT NO. 181 & 183 UNION ST	
SHEET TITLE ELEVATIONS AND SECTION	
DATE 3	REV. 0

NOT FOR CONSTRUCTION



ARCADIS
181 & 183 UNION ST
ARCADIS



City of Kingston Community Meeting Form

Note to Applicant: This Form is to be completed by the Applicant and is intended to provide a detailed description of the site, locational context and the proposed application as the basis for a Community Meeting at Planning Committee. The only supplementary information that will be provided by Staff for the Community Meeting is a map package (location, Official Plan, zoning, etc). Please keep residents and members of Planning Committee in mind when completing this form by ensuring that all information is thorough, detailed and understandable. Where a field is not applicable to the site or proposal, please indicate "N/A". Since this Form will be attached as an exhibit to a staff report, this Form must be completed in a manner that is accessible. Please refrain from using formatting or tables that are not accessible. If this form is completed in a manner that is not accessible, it may result in delays to the timing of the Community Meeting and may require staff to make amendments or adjustments prior to attaching the form as an exhibit to a staff report.

Owner/Application Information

Owner: Tamarack (Cataraqui West 2) Corp.

Applicant (if Owner is not the Applicant): Tamarack (Cataraqui West 2) Corp.

Site Characteristics

Site address:

Site 1: 1519 Shira Drive

Site 2: No civic address

Site area:

Site 1: 0.5 hectares

Site 2: 0.65 hectares

Description of existing use and buildings on site (height, floor area, units, bedrooms, parking spaces, setbacks, etc):

Site 1: Undeveloped but serviced

Site 2: Undeveloped

Official Plan designation:

Site 1: District Commercial

Site 2: Low Density Residential

Zoning by-law (zone and other relevant schedules and overlays):

Site 1: Development Reserve (DR) and Legacy Exception L228

Site 2: Urban Residential Type 3.B (UR3.B)

Existing number of trees:

Site 1: No trees present

Site 2: To be confirmed through future development

Number of existing trees to be retained:

Site 1: No trees present

Site 2: All trees to remain for now, will assess when subdivision application is brought forward.

Description of heritage status (not a heritage building, listed, designated or located in a heritage conservation district):

Site 1: N/A

Site 2: N/A

Description of Surrounding Uses and Buildings

Site 1:

East: Residential

West: Residential

North: Residential

South: Cataraqui Woods Drive and Residential

Site 2:

East: Undeveloped and Bayridge Drive

West: Undeveloped and Residential

North: Undeveloped

South: Cataraqui Woods Drive and Residential

Description of Proposal

Summary description of the proposal (use, height, floor area, setbacks, units, bedrooms, condominium, rental, affordability level, parking and bike spaces, will existing building or any existing features be retained/renovated/demolished etc.):

Applications for official plan amendment and zoning by-law amendment to move the commercial designation and zoning from Site 1 to Site 2. The applicant is proposing to rezone Site 1 from Development Reserve (DR) and Legacy Exception L288 to Urban Residential Zone Type 3.B (UR3.B), and to rezone Site 2 from Urban Residential Zone Type 3.B (UR3.B) to District Commercial (CD) and to apply a new Exception Overlay that is generally consistent with the L288 Legacy Exception.

The purpose of these applications is to relocate the commercial designation in Cataraqui West to an alternative location, allowing Site 1 to be developed with 11 residential lots. The official plan allows this site to be developed as residential lots in the future, once 2,000 units have been developed in Cataraqui West. The applicant has previously installed services to allow Site 1 to be developed with 11 residential lots. These applications are necessary to allow these lots to be developed prior to the 2,000-unit threshold being met. The designation and zone are proposed to be moved to retain the planned commercial block within Cataraqui West.

Type of Application: Official plan amendment, zoning by-law amendment.

Proposed use:

Site 1: Residential

Site 2: Commercial

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

Site 1: 11 single detached dwellings

Site 2: Zoned to permit upper floor residential, no specific proposal at this time

Proposed gross floor area (of each use): N/A

Proposed height: N/A

Proposed setbacks:

Site 1:

Front: 3.0 metres

Interior: 1.2 metres on one side, 0.6 metres on the other side

Exterior: 2.4 metres

Rear: 6.0 metres

Site 2:

Front: 3.0 metres

Interior: 9.1 metres or 0 metres when abutting commercial

Exterior: 3.0 metres

Rear: 15.2 metres

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

Site 1: 2 spaces per lot, minimum

Site 2: To be determined through future development

Proposed number of bicycle parking spaces:

Site 1: As per zoning by-law (1 per unit)

Site 2: As per zoning by-law

Proposed landscaped open space:

Site 1: 30%

Site 2: 10%

Proposed amenity area (if residential): N/A

Proposed number of trees to be planted:

Site 1: 1 tree per lot

Site 2: To be determined through future development

Description of how the application conforms with the Official Plan:

An official plan amendment is required to redesignate Site 1 from District Commercial to Medium Density Residential to reflect the change in use from a district commercial centre to the proposed residential uses. Similarly, Site 2 will be redesignated from Low Density Residential to District Commercial. The proposed uses at each site will conform to the OP.

If located in an area that is subject to Official Plan policies related to source water, natural heritage system, natural heritage features and areas, hazards, cultural heritage resources, areas of archaeological potential, or areas of archaeological significance, description of how the proposal will conform with the policies: N/A

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

A zoning by-law amendment is required to rezone the underlying zoning for Site 1 from Development Reserve (DR) to Urban Residential Zone 3 (UR3.B) to reflect the residential zone established in the Woodhaven subdivision and to remove the Legacy Overlay. Site 2 will be rezoned from Urban Residential Type 3.B (UR3.B) to District Commercial (CD) Zone to permit a broad range of commercial uses and to apply a new Exception Overlay (EXX) which is largely consistent with the Legacy Overlay that currently applies to Site 1.

Other information that would be valuable for a Community Meeting:

The applicant is seeking to develop Site 1 with eleven single-detached residential units through the relocation of the commercial block to a future phase of the subdivision, represented by Site 2. To facilitate the proposed development, applications for an official plan amendment and zoning by-law amendment are required. Site 1 represents the rounding out of Phase 4 of the Woodhaven subdivision. The proposal will result in sufficient commercial uses to meet the needs of residents and visitors, while allowing 11 serviced residential lots to be developed sooner than would otherwise be possible.

List of Drawings/Studies Submitted

- Conceptual Site Plan
- Servicing Report
- Noise Impact Feasibility Study
- Planning Justification Report

Community Meeting Form Prepared by: Fotenn Planning + Design

Date: August 2, 2024

By-Law Number 2024-XXX

**A By-Law To Amend The City Of Kingston Official Plan (Amendment Number ___,
1519 Shira Drive & Northwest Corner of Cataraqui Woods Drive and Bayridge
Drive)**

Passed: [Meeting Date]

Whereas a Public Meeting was held regarding this amendment on September 5, 2024;

Now Therefore the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 17 of the *Planning Act*, R.S.O. 1990, c.P13, hereby enacts as follows:

1. The City of Kingston Official Plan is hereby amended by the following map change which shall constitute Amendment Number ___ to the Official Plan for the City of Kingston.
 - (a) **Amend** Schedule 'CW-1', 'Cataraqui West Secondary Plan', of the City of Kingston Official Plan, so as to designate the property located at 1519 Shira Drive and portions of the property located at the northwest Corner of Cataraqui Woods Drive and Bayridge Drive, as shown on Schedule 'A' to By-law Number 2024-___, as 'Medium Density Residential' and 'District Commercial' respectively.
2. This by-law shall come into force and take effect on the day that is the day after the last day for filing an appeal pursuant to the *Planning Act*, provided that no Notice of Appeal is filed to this by-law in accordance with the provisions of Section 17, Subsection 24 of the *Planning Act*, as amended; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the By-Law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be.

Given all Three Readings and Passed: [Meeting date]

Janet Jaynes
City Clerk

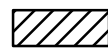
Bryan Paterson
Mayor



Schedule 'A' to By-Law Number

Address: 1519 Shira Drive
File Number: D35-003-2024

Official Plan - Schedule CW-1 Cataraqui West Secondary Plan



Lands to be Redesignated from District Commercial to Medium Density Residential



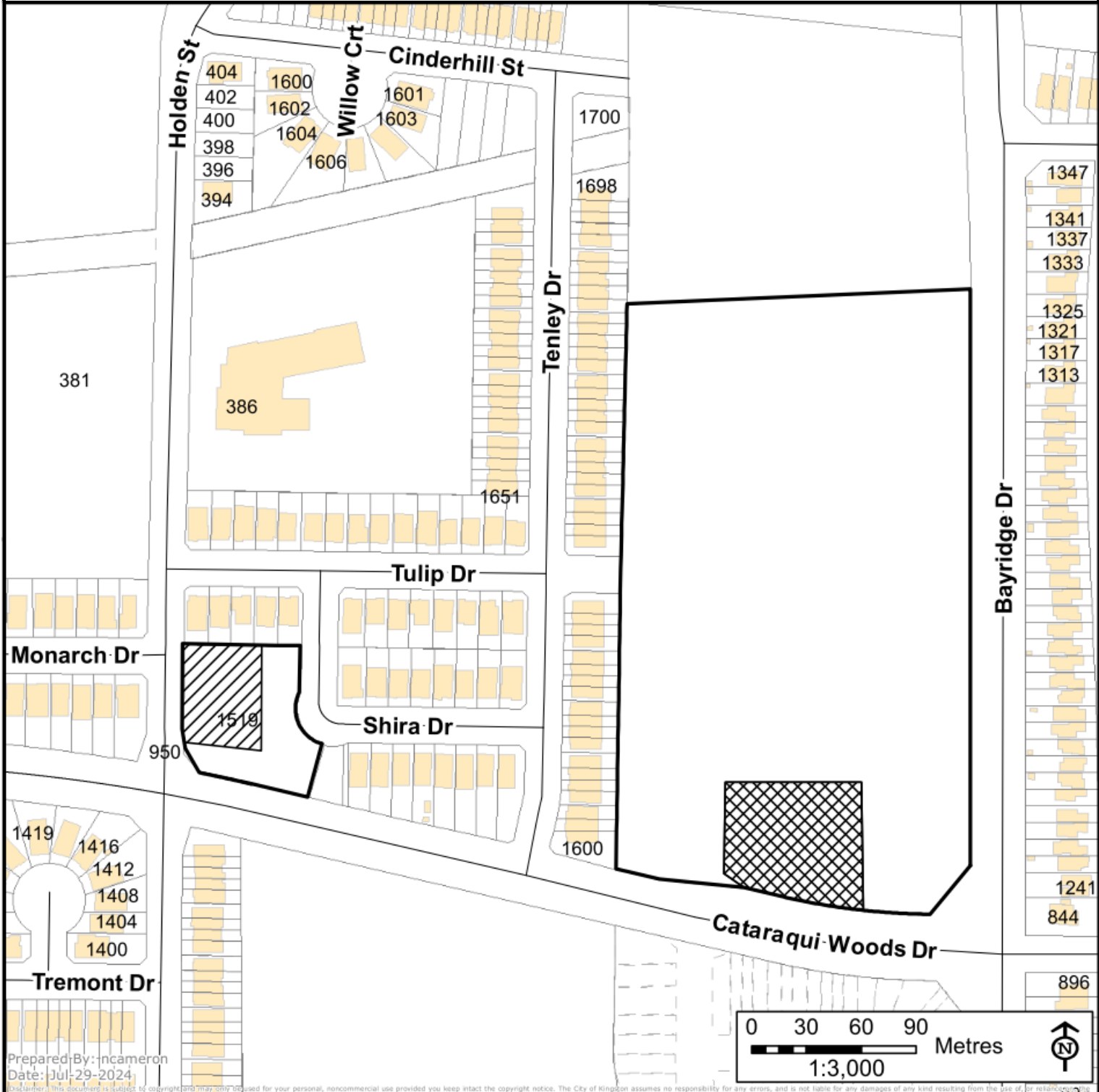
Lands to be Redesignated from Low Density Residential to District Commercial

Certificate of Authentication

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

Mayor

Clerk



Prepared By: incameron
Date: Jul-29-2024

By-Law Number 2024-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Change to UR3.B and CD, Removal of Exception ‘E21’, and Introduction of Exception Number ‘Exxx’ (1519 Shira Drive & Northwest Corner of Cataraqui Woods Drive and Bayridge Drive))

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 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 ‘DR’ to ‘UR3.B’ and, from ‘UR3.B’ to ‘CD’ as shown on Schedule “A” attached to and forming part of this By-Law;
 - 1.2. Schedule E – Exception Overlay is amended to remove Exception Number 21 (E21) and to add Exception Number xxx (Exxx), as shown on Schedule “B” attached to and forming part of this By-law;
 - 1.3. By adding the following Exception Number Exxx in Section 21 – Exceptions, as follows:

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

 - (a) Residential **uses** are permitted in accordance with the provisions of the UR3.B Zone;
 - (b) Prohibited uses are:
 - (i) an auditorium;
 - (ii) a department store;
 - (iii) a gasoline retail facility;

- (iv) a retail nursery;
 - (v) a taxi stand or bus station;
 - (c) The minimum **lot area** provisions do not apply;
 - (d) The minimum **lot frontage** provisions do not apply;
 - (e) The maximum **lot coverage** is 30%;
 - (f) The maximum **building height** is as follows:
 - (i) **Mixed use building**: the lesser of 6 storeys or 20 metres;
 - (ii) **Apartment building**: the lesser of 6 storeys or 20 metres;
 - (iii) **Non-residential building**: 11 metres or one storey;
 - (iv) Other uses: 10.7 metres;
 - (g) The maximum **gross leasable floor area** is 2,000 square metres for all **non-residential uses**;
 - (h) The maximum **retail gross floor area** is 300 square metres for any individual use;
 - (i) A 3.0-metre-wide **planting strip** is required along all lot lines adjoining residential-zoned lots.”
2. 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





Planning
Services

Schedule 'A' to By-Law Number

Address: 1519 Shira Drive
File Number: D35-003-2024

Kingston Zoning By-Law 2022-62 Schedule 1 - Zoning Map

Sch 1 New Zone

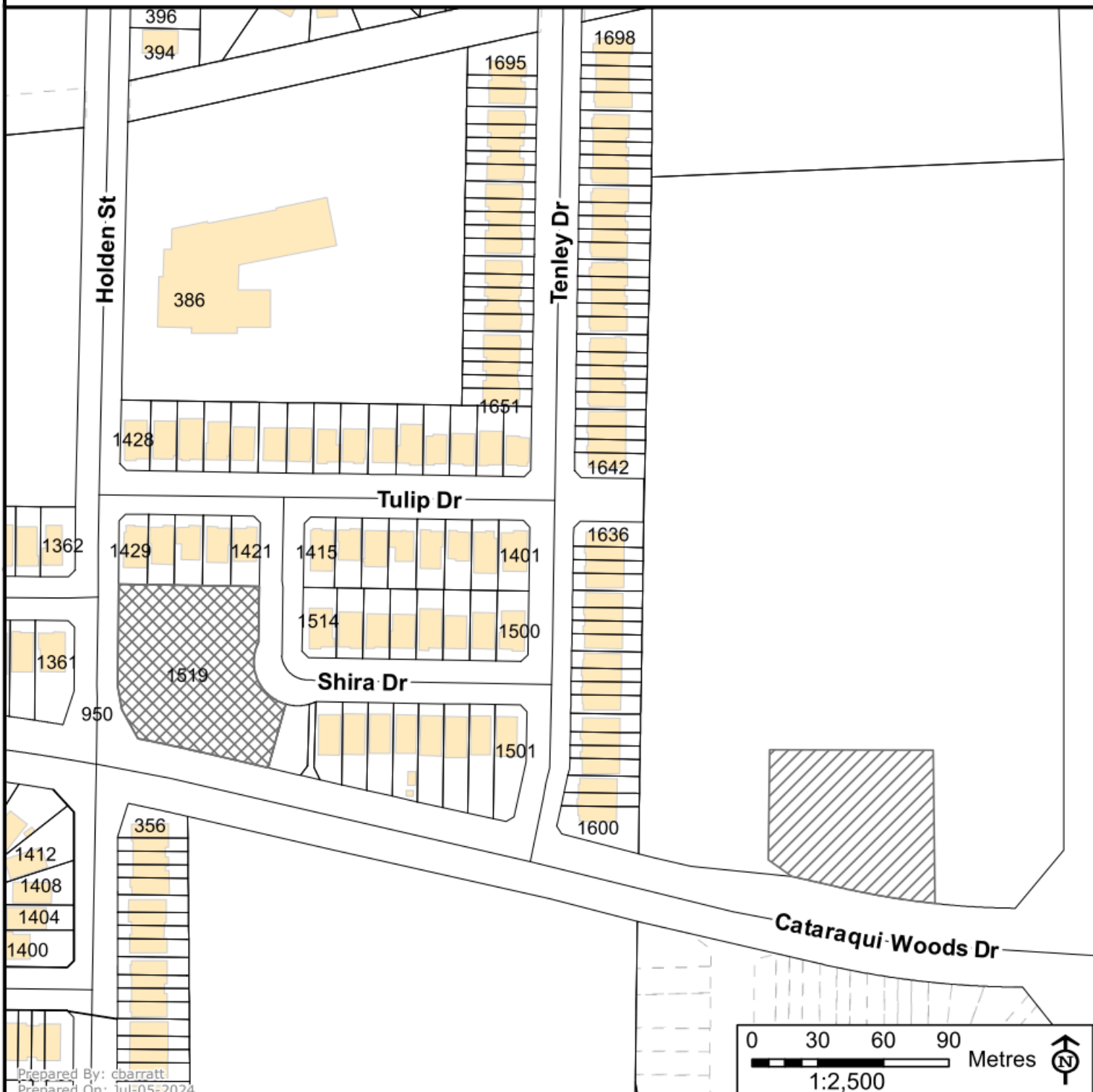
-  Lands to be Rezoned as CD
-  Lands to be Rezoned as UR3.B

Certificate of Authentication

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

Mayor

Clerk



Prepared By: cbarratt
Prepared On: Jul-05-2024

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Schedule 'B' to By-Law Number

Address: 1519 Shira Drive
File Number: D35-003-2024

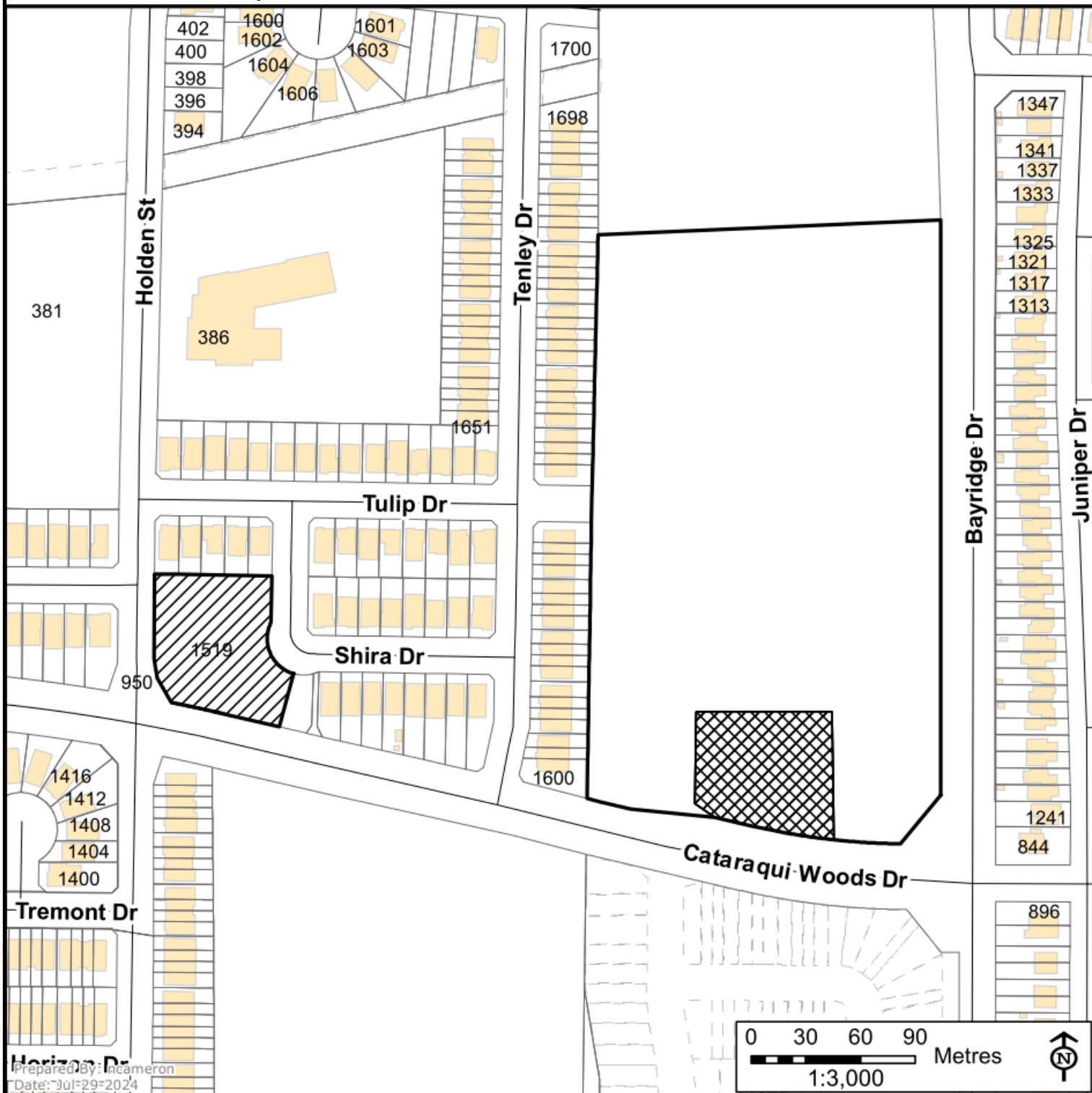
Kingston Zoning By-Law 2022-62 Schedule E - Exception Overlay

- Lands to added as EXX
- Lands to be removed from E21

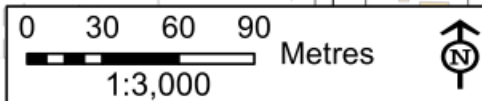
Certificate of Authentication

This is Schedule 'B' to By-Law Number _____, passed this _____ day of _____ 202__.

Mayor Clerk



Prepared By: mcameron
Date: Jul 29 2024





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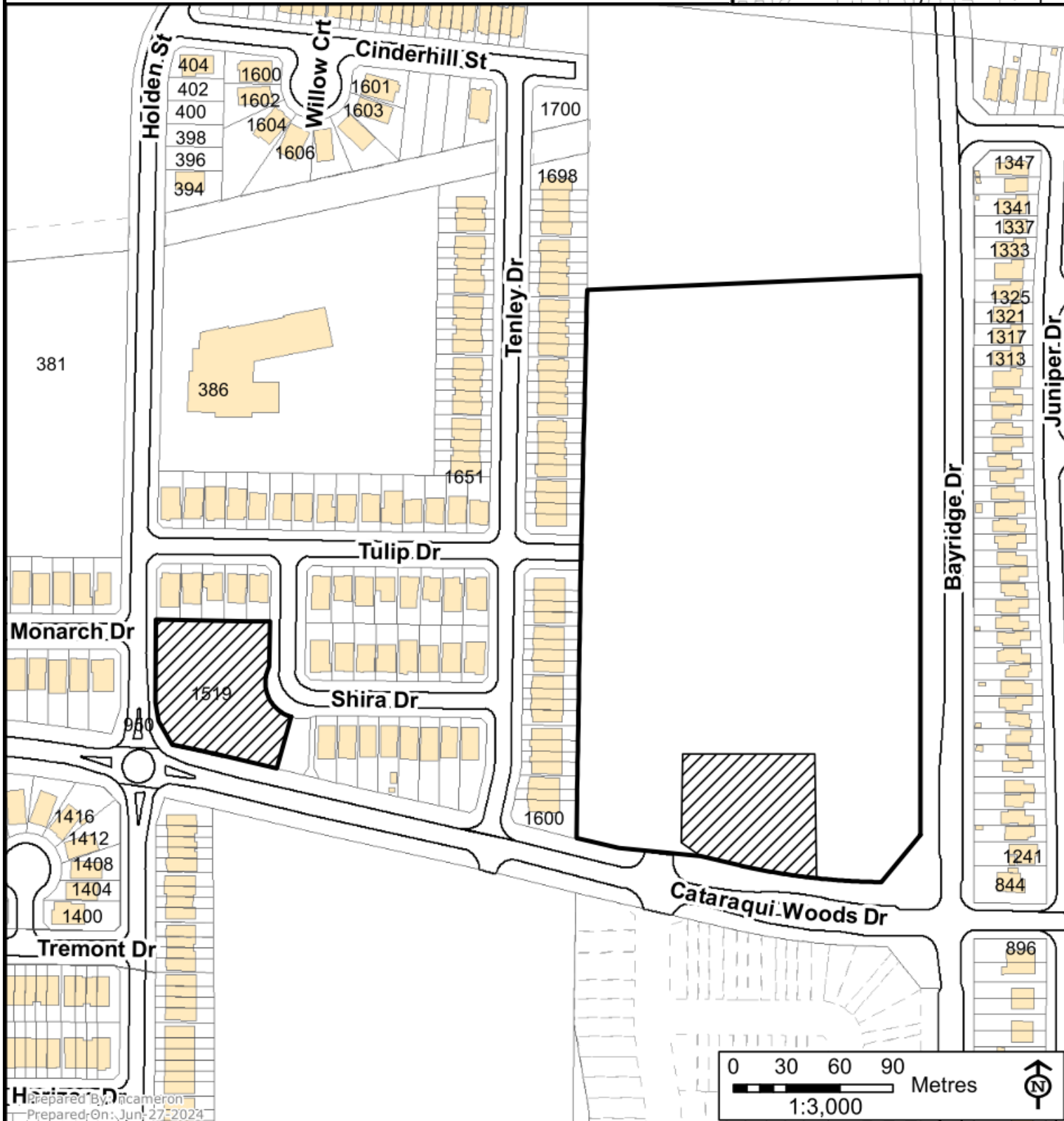
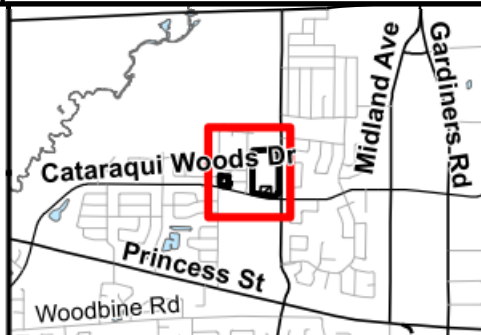


Planning Committee

Key Map

Address: 1519 Shira Drive
File Number: D35-003-2024
Prepared On: Jun-27-2024

-  Subject Lands
-  Area Subject to Re-Designation



Prepared By: mcameron
Prepared On: Jun-27-2024

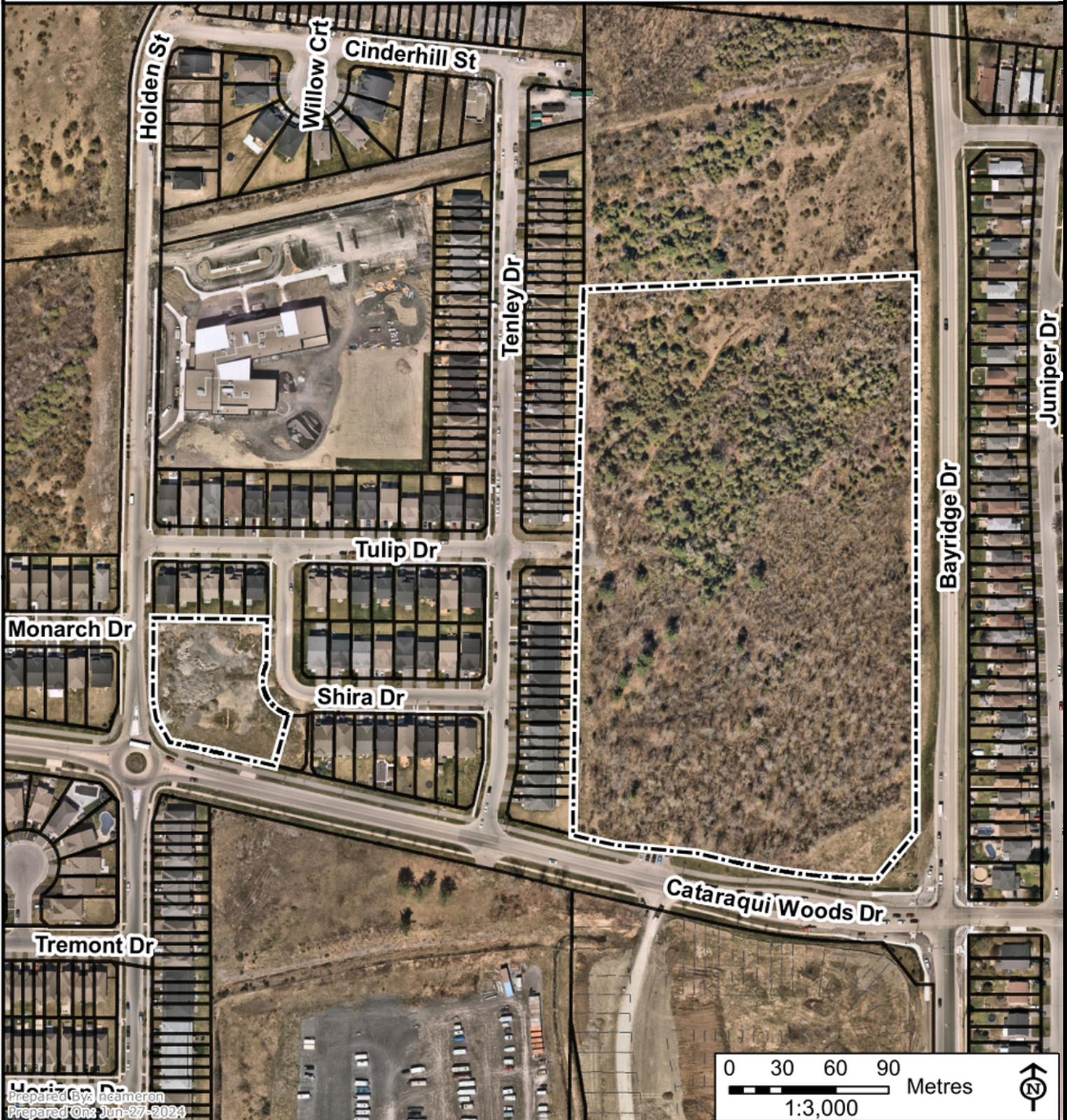
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Planning Committee
Neighbourhood Context

Address: 1519 Shira Drive
File Number: D35-003-2024
Prepared On: Jun-27-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



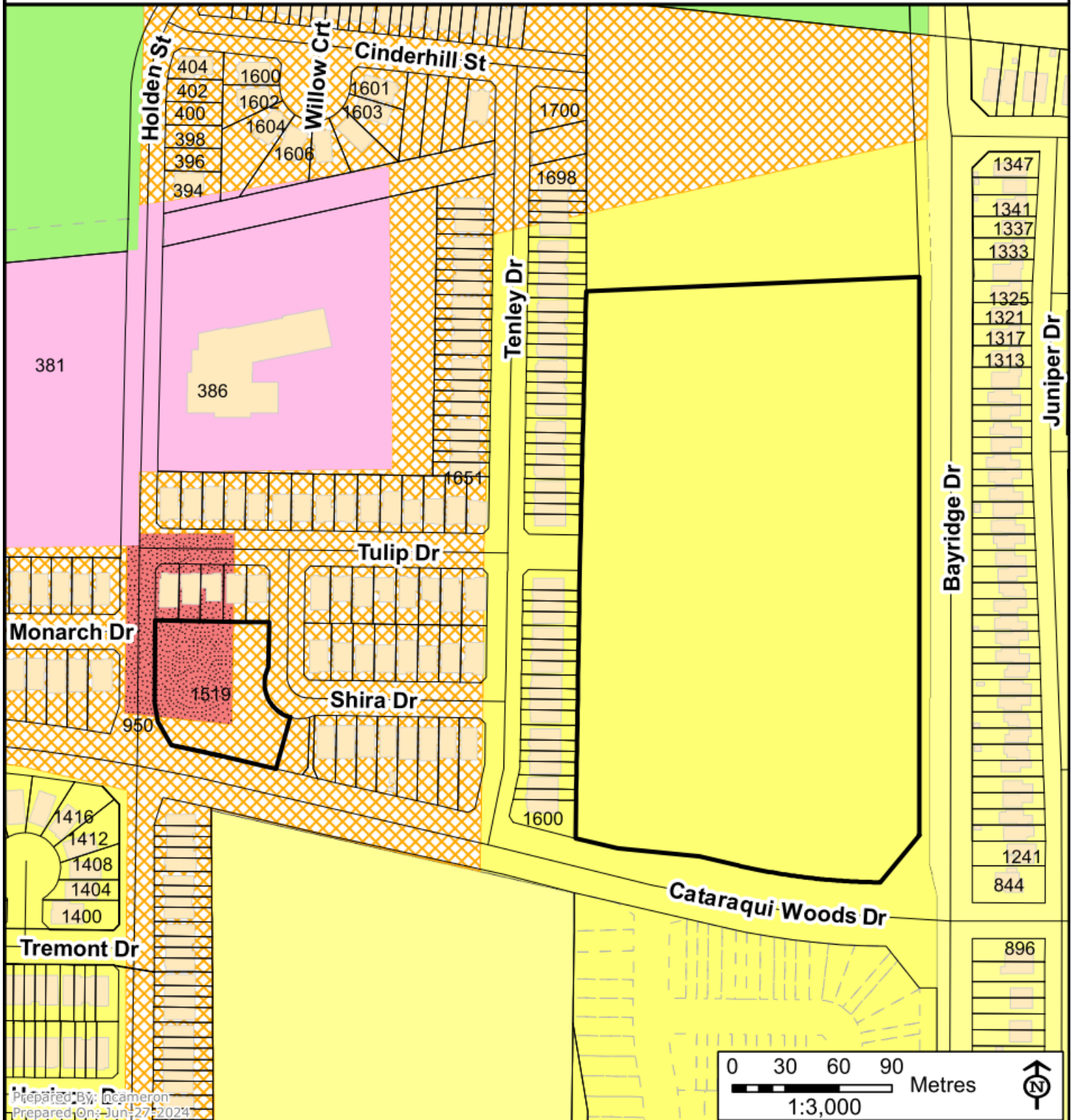
Prepared By: neameron
Prepared On: Jun-27-2024



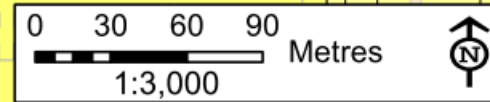
Planning Committee Official Plan, Existing Land Use

Address: 1519 Shira Drive
File Number: D35-003-2024
Prepared On: Jun-27-2024

- Subject Lands
- RESIDENTIAL
- SECONDARY PLAN AREA
- DISTRICT COMMERCIAL
- INSTITUTION
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- OPEN SPACE



Prepared By: R. Cameron
Prepared On: Jun-27-2024



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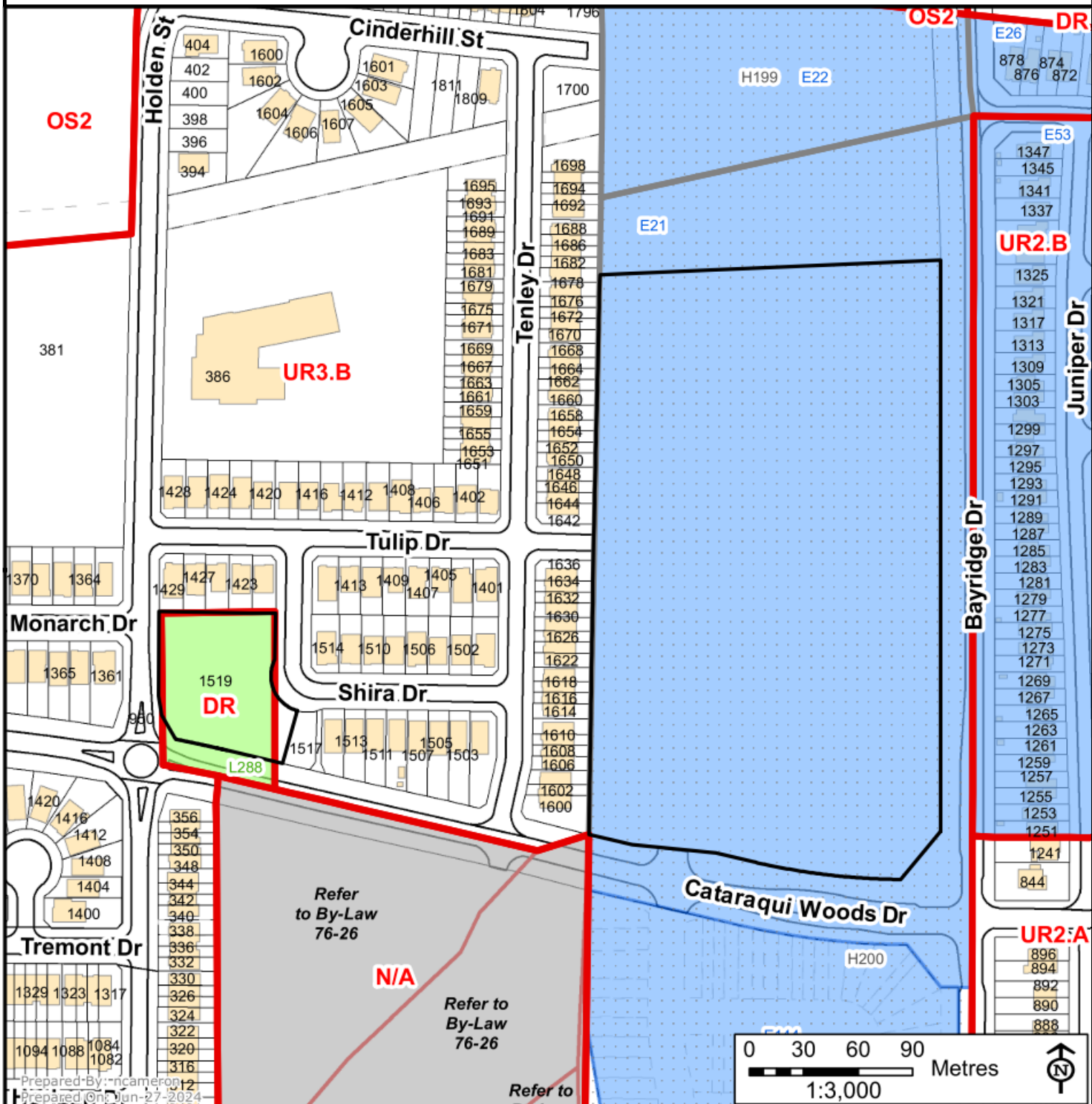


Planning Committee
Existing Zoning
Kingston Zoning By-Law 2022-62

Planning Services

Address: 1519 Shira Drive
File Number: D35-003-2024
Prepared On: Jun-27-2024

- Subject Lands
- Schedule 1 Zoning Map
- Zone
- Not Subject to the Kingston Zoning By-law
- Schedule E - Exception Overlay
- Legacy Exceptions (LXXX)
- Exceptions (EXXX)
- Schedule F - Holding Overlay
- Holding Overlay (HXXX)



Prepared By: ncameron
Prepared On: Jun-27-2024
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City of Kingston Community Meeting Form

Owner/Application Information

Owner: Jason O'Brien

Applicant (if Owner is not the Applicant): Fotenn Planning + Design

Site Characteristics

Site address: 73 Sydenham Street

Site area: 490 square metres

Description of existing use and buildings on site (height, floor area, units, bedrooms, parking spaces, setbacks, etc): The property is developed with a three-storey building that operates as the Secret Garden Inn Bed & Breakfast, a legal non-conforming use, which has been in operation since 1996. The converted dwelling, built in 1888 by John McKay, is designated under Part IV and Part V of the *Ontario Heritage Act* and is located within the Old Sydenham Heritage Conservation District. The Secret Garden Inn contains eight (8) rooms for temporary lodging, a staff office, kitchen, dining room, two sitting rooms, porch, and outdoor courtyard. The property includes landscape open space in the front and exterior side yard as well as three mature trees. The property incorporates privacy fences along the north and east property lines. Primary vehicular access is provided from Sydenham Street with four on-site parking spaces provided, while additional vehicular access is provided from William Street to one additional parking space. Pedestrian access to the site is provided from both street frontages.

Official Plan designation: Residential on Schedule 3-A Land Use

Zoning by-law (zone and other relevant schedules and overlays): Heritage Zone 3 – Old Sydenham (HCD3) in Kingston By-law 2022-62

Existing number of trees: 3

Number of existing trees to be retained: 3

Description of heritage status (not a heritage building, listed, designated or located in a heritage conservation district): The building is designated under Part IV and Part V of the *Ontario Heritage Act* and the property is located within the Old Sydenham Heritage Conservation District.

Description of Surrounding Uses and Buildings

East: Residential (two-and-a-half-storey semi-detached dwelling)

West: Institutional (three to six storey Sydenham Street United Church)

North: Residential (two-storey single detached dwelling)

South: Residential (five-storey multi-unit building)

Description of Proposal

Summary description of the proposal (use, height, floor area, setbacks, units, bedrooms, condominium, rental, affordability level, parking and bike spaces, will existing building or any existing features be retained/renovated/demolished etc.):

The applicant is seeking a minor zoning by-law amendment to recognize the long-standing legal non-conforming bed and breakfast use and allow a complementary restaurant use within the existing building. The property was zoned Three to Six Family Dwelling (B) Zone in former Zoning By-law 8499 which allowed the existing Bed and Breakfast Use under the permitted “Boarding Houses and Rooming Houses” use. The definition of Boarding House restricts meals to be provided to only those providing compensation for a room, meaning only guests can be served meals. Through the comprehensive zoning by-law update, the property was rezoned to Heritage Zone 3 – Old Sydenham (HCD3) in the new Zoning By-law 2022-62. The current HCD3 Zone does not permit Boarding Houses and Rooming Houses, a Hotel, or other similar overnight lodging uses, therefore the existing use of the property is Legal Non-Conforming. The bed and breakfast has an existing kitchen and restaurant which serves guests.

The intent of the proposed minor zoning by-law amendment is to allow a Hotel as a permitted use to recognize the existing, legal non-conforming bed and breakfast and allow a complementary restaurant use in order for the existing kitchen to serve both guests and non-guests.

No new development or exterior modifications are proposed as a result of the proposed application.

Type of Application: Minor Zoning By-law Amendment

Proposed use: Hotel (to recognize the existing, legal non-conforming bed and breakfast use and allow a new complementary restaurant which will use the existing kitchen to serve both guests and non-guests)

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

Proposed gross floor area (of each use): No change (660 square metres)

Proposed height: No change (3 storeys)

Proposed setbacks:

Front: No change (2.6 metres)

Interior: No change (0 metres)

Exterior: No change (3.5 metres)

Rear: No change (1.4 metres)

Proposed number of vehicular parking spaces (include breakdown of occupant, visitor, car-share, accessible, etc): No change (5 existing spaces)

Proposed number of bicycle parking spaces: No change (0 spaces)

Proposed landscaped open space: No change

Proposed amenity area (if residential): N/A

Proposed number of trees to be planted: 0 (no change to existing trees or landscaping to occur)

Description of how the application conforms with the Official Plan: The proposed minor zoning by-law amendment seeking to recognize the existing bed and breakfast and allow a complementary restaurant which serves both guests and the public conforms with the intent of the Official Plan. The proposal aligns with the Residential and Centre designation policies.

Per Section 3.3.2 of the Residential designation policies, "*Where appropriate and compatible, small-scale convenience commercial uses are allowed by zoning within apartment buildings or on a site specific basis on a low or medium density residential site*". The property has successfully operated as a standalone bed and breakfast since 1996 in an appropriate and compatible manner with the surrounding residential area. The existing built form is appropriate for continuation and use as a complementary restaurant within the Residential designation.

Per the Neighbourhood Commercial policies of Section 3.4.F., the long-standing small scale neighbourhood commercial use is appropriately located in the Sydenham neighbourhood within walking distance of residential uses, community facilities and

open space. As no exterior changes are proposed and the operation of the property will remain largely unchanged, the proposal will maintain a compatible relationship with the surrounding neighbourhood and provide additional services within walking distance of the downtown. The property incorporates existing setbacks and privacy fences which provide buffering to abutting residential uses to the east and north. No change to on-site operations are proposed as a result of the application, therefore the existing setbacks and fences are anticipated to remain sufficient as a means to mitigate potential compatibility considerations with the existing residential uses abutting the property. The proposal represents a logical extension of the existing commercial operation provided by the bed and breakfast.

As well, the property is located within the Centre designation and within the Central Business District, an area intended for a diversity of uses and intensification.

It is our professional planning opinion that the proposed minor zoning by-law amendment is appropriate and conforms to the policies of the Official Plan.

If located in an area that is subject to Official Plan policies related to source water, natural heritage system, natural heritage features and areas, hazards, cultural heritage resources, areas of archaeological potential, or areas of archaeological significance, description of how the proposal will conform with the policies: The subject property is designated under Part IV and Part V of the *Ontario Heritage Act*, is adjacent to numerous built heritage resources, and is located within the Old Sydenham Heritage Conservation District. The proposed development conforms with the policies of Section 7 Cultural Heritage and Archaeology as the proposed minor zoning by-law amendment will not result in any exterior changes to the property or building therefore no impacts to on-site or nearby heritage resources will occur.

Description of amendment(s) required to the Zoning By-law: Previously, the property was zoned Three to Six Family Dwelling (B) Zone in former Zoning By-law 8499 which permitted the existing bed and breakfast use as a “Boarding House and Rooming House”. The definition of Boarding House restricts meals to be provided to only those providing compensation for a room, meaning only guests can be served meals. Through the comprehensive zoning by-law update, the property was rezoned to Heritage Zone 3 – Old Sydenham (HCD3) in the new Zoning By-law 2022-62.

Currently, the subject site is regulated by the City of Kingston Zoning By-law 2022-62 and is zoned Heritage Zone 3 – Old Sydenham (HCD3) in Kingston Zoning By-law 2022-62. The HCD3 Zone permits a variety of residential and non-residential uses, but does not permit a bed and breakfast or other similar overnight lodging use, resulting in a legal non-confirming use.

A minor zoning by-law amendment is proposed to recognize the existing bed and breakfast use and allow a complementary restaurant use. Kingston Zoning By-law 2022-62 broadly defines overnight accommodation uses as a “hotel” which also allow restaurants as accessory uses. The minor zoning by-law amendment seeks to add an

exemption overlay (E.XX) to the property to permit a hotel and recognize existing performance standards associated with the existing building, including setbacks, dormers, location of parking, planting strips, projections in yards, and outdoor patios.

Other information that would be valuable for a Community Meeting: Please refer to the Planning Justification Report submitted with this application for images of the property and existing conditions plan, a detailed review of the application against the Provincial Policy Statement and Kingston Official Plan policies, and a zoning table that provides a review of the development against the HCD3 zone and general provisions of Kingston Zoning By-law 2022-62.

List of Drawings/Studies Submitted

- Existing Conditions Plan, Fotenn, Jul-3-2024
- Existing Ground Floor Plan, Shoalts & Zaback Architects, Dec-1-2020
- Planning Justification Report, Fotenn, Jul-11-2024

Community Meeting Form Prepared by: Fotenn Planning + Design

Date: July 31, 2024

By-Law Number 2024-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Introduction of Exception EXXX (73 Sydenham Street))

Passed:

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 E – Exception Overlay is amended by adding Exception ‘EXXX’, as shown on Schedule “A” attached to and forming part of this By-Law;
 - 1.2. By adding the following Exception Number EXXX in Section 21 – Exceptions, as follows:

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

 - a) A **hotel** is a permitted use;
 - b) Minimum **rear setback** is 1.4 metres;
 - c) Minimum **interior setback** is 0 metres;
 - d) The front wall of an existing **dormer** may be **setback** 0 metres from the **main wall**;
 - e) The side wall of an existing **dormer** may be **setback** 0 metres from the edge of the roof on which it is located;
 - f) Maximum cumulative length of all existing **dormers** on the same portion of a sloped roof may exceed 50% of the length of the roof on which it is located;
 - g) Parking shall be permitted in the **front yard**;
 - h) A **planting strip** is not required where an **interior lot line** or **rear lot line** of a **lot** used for a **non-residential use** abuts a **residential use** in the HCD3 Zone;

- i) Fire escapes may be **setback** 0 metres from the **interior lot line**;
- j) **Outdoor patios** associated with a commercial **use** may have a **separation distance** of 0 metres from a **lot** in the HCD3 Zone; and
- k) **Outdoor patios** associated with a commercial **use** may have a privacy **fence** with a minimum height of 1.2 metres.

2. 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



Planning
Services

Planning Committee

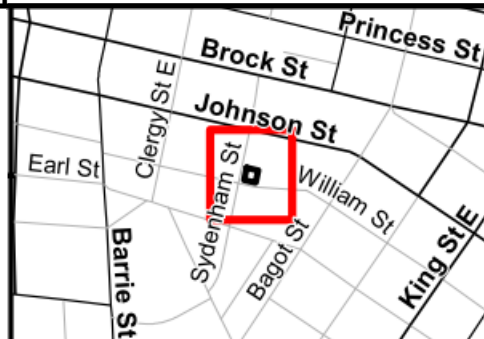
Key Map

Address: 73 Sydenham Street

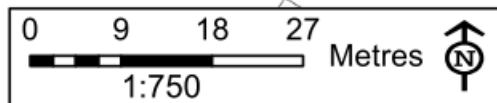
File Number: D14-011-2024

Prepared On: Jul-24-2024

 Subject Lands






Prepared By: cbarratt
Prepared On: Jul-24-2024





Planning Committee
Neighbourhood Context

Address: 73 Sydenham Street
File Number: D14-011-2024
Prepared On: Jul-24-2024

-  Subject Lands
-  Property Boundaries
-  Proposed Parcels



Prepared By: ebarratt
Prepared On: Jul-24-2024

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Planning Services

Planning Committee Official Plan, Existing Land Use

Address: 73 Sydenham Street

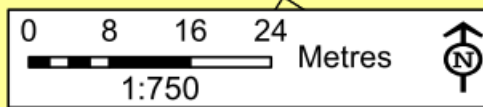
File Number: D14-011-2024

Prepared On: Jul-24-2024

-  Subject Lands
-  INSTITUTIONAL
-  RESIDENTIAL



Prepared By: cbarratt
Prepared On: Jul-24-2024



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Planning Committee

Existing Zoning

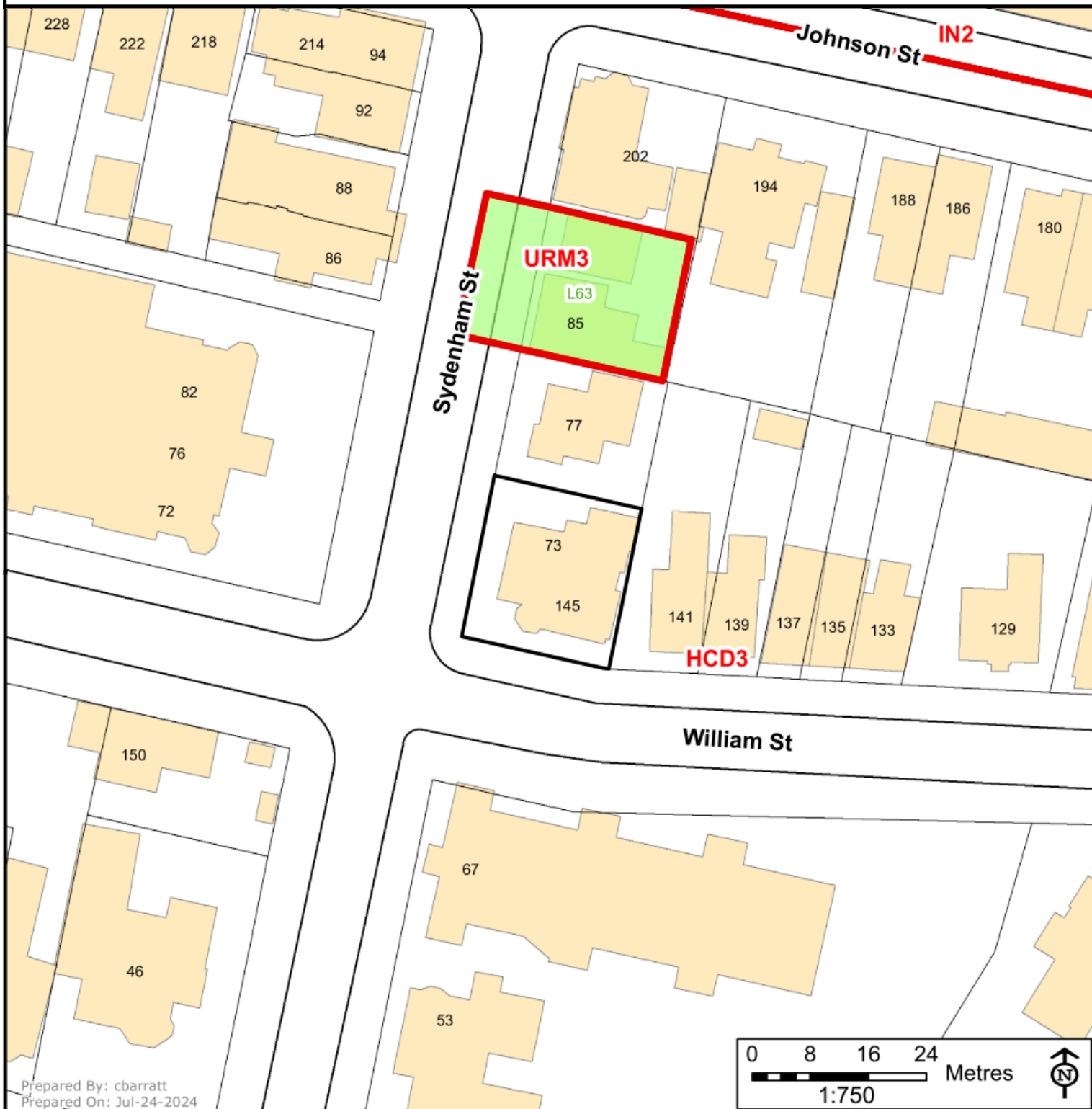
Kingston Zoning By-Law 2022-62

Planning Services

Address: 73 Sydenham Street
File Number: D14-011-2024
Prepared On: Jul-24-2024

Subject Lands
 Schedule 1 Zoning Map
 Zone

Schedule E - Exception Overlay
 Legacy Exceptions (LXXX)
 Exceptions (EXXX)
 Schedule F - Holding Overlay
 Holding Overlay (HXXX)



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