



**City of Kingston
Report to Committee of Adjustment
Report Number COA-24-096**

To: Chair and Members of the Committee of Adjustment
From: Chris Booth, Senior Planner
Date of Meeting: November 18, 2024
Application for: Minor Variance
File Number: D13-079-2024
Address: 283 Queen Street
District: District 11 – King’s Town
Owner: Varsity Realty Inc.
Applicant: Fotenn Planning + Design

Council Strategic Plan Alignment:

Theme: 1. Support Housing Affordability

Goal: 1.2 Promote increase in purpose-built rental housing.

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variance for the property located at 283 Queen Street. The applicant is proposing to construct a 15-storey mixed use building with 178 rental units and 132 square metres of ground floor commercial. To comply with the setbacks and maximum height limit established through a site-specific re-zoning (Exception Number E114) approved by order of the Ontario Land Tribunal (Decision Number OLT-22-004553), relief of 0.4 metres is requested from the 4.2 metre minimum height requirement for access to a loading space, as required by the Kingston Zoning By-Law Number 2022-62. The need for the variance was determined through the Site Plan Control process (application number D11-010-2024) as specific building details are not typically known at the time of re-zoning and so the variance could not have been anticipated or included in the re-zoning application.

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The requested minor variance is consistent with the general intent and purpose of both the City of Kingston Official Plan and Kingston Zoning By-Law Number 2022-62. The requested minor variance is desirable for the appropriate development or use of the land, building or structure and is minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval.

Recommendation:

That minor variance application, File Number D13-079-2024, for the property located at 283 Queen Street to construct an apartment building with reduced vertical clearance for access to the interior loading space, be approved, as described below:

Variance Number 1: Location of Loading Spaces

By-Law Number 2022-62: 7.5.8.1

Requirement: 4.2 metre minimum vertical clearance for access to a loading space;

Proposed: 3.8 metres;

Variance Requested: 0.4 metres; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-096.

November 18, 2024

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Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER

Chris Booth, Senior Planner

In Consultation with the following Management of the Community Services Group:

Tim Park, Director, Planning Services

James Bar, Manager, Development Approvals

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Options/Discussion:

On September 30, 2024, a minor variance application was submitted by Fotenn Planning + Design, on behalf of the owner, Varsity Realty Inc., with respect to the property located at 283 Queen Street.

To facilitate the proposed building, the lands first underwent a rezoning process (file number D14-012-2021), which culminated in an appeal by the developer to the Ontario Land Tribunal as no decision was made by the City within the time frame set out in the *Planning Act* (case number OLT-22-004553). The matter was settled by all parties without proceeding to a hearing, and in its decision dated November 22, 2023, the Tribunal ordered that the re-zoning be approved in accordance with Minutes of Settlement, which introduced Exception Number E114 (Exhibit K). This site-specific exception responded to the concerns of all parties and enabled the development of the building subject to specific zone provisions affecting the massing, namely setbacks, stepbacks, and height limits for not just the overall building but also at each stepback.

The variance is requested to reduce the minimum required vertical clearance for the access into an interior loading space to comply with the strict building massing and maximum height limits established in the rezoning approved by the Ontario Land Tribunal. Section 7.5.8, subsection 1 requires that access to a loading space have a minimum vertical clearance of 4.2 metres.

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

- Site Plan and Architectural Drawings (Exhibit F)
- Planning Brief (Exhibit I)
- Transportation Analysis (Exhibit J)

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.

Site Characteristics

The subject property is located at 283 Queen Street (Exhibit B – Key Map) on an L-shaped lot approximately 1,943 square metres in size, fronting onto Queen Street to the south, Barrie Street to the east, and Colborne Street to the north. The lot currently contains a four-storey office building at the corner of Queen and Barrie Street, along with accessory surface parking. The property abuts the Renaissance restaurant and event centre – a listed heritage building – to the west, and a rowhouse to the northeast (Exhibit C – Neighbourhood Context Map). The site is generally surrounded by a wide variety of residential, commercial, and institutional land uses.

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Provincial Planning Statement

In addition to the four tests of a minor variance detailed below, Subsection 3(5) of the *Planning Act* requires that a decision in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement (the PPS). The PPS provides policy direction on matters of provincial interest related to land use planning and development which are complemented by local policies addressing local interests. The application being considered is site specific to accommodate a specific proposal and does not involve any major policy considerations and as such, the proposal conforms to and is consistent with the PPS.

Minor Variance Application

The review of an application for minor variance is not a simple mathematical calculation, but rather a detailed assessment of whether the variance requested, both separately and together, meet the four tests of a minor variance outlined in Subsection 45(1) of the *Planning Act*. The following provides this review:

The general intent and purpose of the Official Plan are maintained

The subject property is designated Central Business District and Residential in the City of Kingston Official Plan (Exhibit D – Official Plan Map) and is within the Downtown and Harbour Specific Policy Area as shown on Schedule DH-1. In considering whether this proposed variance is desirable, the Committee of Adjustment will have regard to the nine requirements included in Section 9.5.19 of the Official Plan.

The proposed variance meets the Strategic Policy direction of the Official Plan, as it will support the re-development of an under-utilized downtown site in a manner that is both compatible and functional. The variance will ensure that the building continues to be compatible with its surroundings as it would avoid further increases to overall height and massing, thus allowing the structure to continue meeting the provisions established through the re-zoning (a process through which compatibility was extensively discussed and addressed). By virtue of its limited scope, the variance will not alter or increase shadowing, overlook, or wind impacts, nor will it affect neighbouring heritage resources due to its location on Barrie Street.

The applicants have demonstrated through the submission of a transportation assessment that the variance will not adversely affect site functionality as it does not inhibit access to the type of vehicles that would be using the designated loading space. Since the proposed 40 centimetre reduction in vertical clearance does not impact functionality, site design, or building massing, it still meets the intent of the Zoning By-Law, making an amendment unnecessary. Given the site-specific nature of the transportation assessment that occurred, approval of this variance would not result in an undesirable precedent for the area.

The proposal therefore meets the intent of the Official Plan, as the proposed reduction in vertical clearance for access to a loading area from 4.2 metres to 3.8 metres will not result in any negative impacts to adjacent properties or to the neighbourhood.

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The general intent and purpose of the Zoning By-Law are maintained

The subject property is zoned Downtown 1 (DT1) in Kingston Zoning By-Law Number 2022-62 (Exhibit E – Zoning By-Law Map) and is also subject to site-specific Exception Number E114. Along with the site-specific provisions of E114, the DT1 zone permits mixed-use buildings subject to certain provisions.

The applicant is seeking a variance to the following provision to facilitate the development of the proposed mixed-use building:

Variance Number 1: Location of Loading Spaces

By-Law Number: 2022-62	7.5.8.1
Requirement:	4.2 metre vertical clearance for access to a loading space
Proposed:	3.8 metres
Variance Requested:	0.4 metres

The by-law requires a loading space itself to be at least 4.2 metres high, and the intent of the above provision is to ensure that there is sufficient clearance for vehicles entering that loading space. Appreciating this intent, the applicant provided a transportation assessment by Arcadis Professional Services (Exhibit J). This assessment took several factors into consideration, including:

- Waste collection will not be taking place within the loading space, and private waste collection services will be utilized, giving the building owner greater control over service delivery.
- Other municipalities in Ontario (including Toronto and Windsor) allow loading spaces with a shorter vertical clearance of 3.0 metres and 3.5 metres respectively.
- Several common delivery and cargo vans and trucks will be able to access the loading area (including typical vehicles for Canada Post, UPS, FedEx, Purolator, as well as a 26-foot-long U-Haul truck).

As the submitted assessment demonstrates that the loading space will still maintain its functionality with a shorter 3.8 metre entry way, the requested variance maintains the general intent and purpose of the zoning by-law.

The variance is minor in nature

The variance is considered minor as the applicant has demonstrated that the reduced vertical clearance will maintain sufficient clearance for vehicles to enter the loading space, thereby maintaining adequate site functionality. The requested reduction is limited to a single entrance on one street only and is not expected to have any adverse impacts to the streetscape or surrounding properties.

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The variance is desirable for the appropriate development or use of the land, building or structure

The variance is desirable and appropriate for the land and structure as it will ensure that the building massing and height do not have to be further modified beyond the limits established through the OLT-ordered re-zoning. The approved height and massing was arrived at with the involvement of community groups that were party to the appeal. Given the design alterations required to accommodate a 4.2 metre-high access door, the resulting massing changes (such as increases to floor height) would not only be inconsistent with the approved zoning, but are likely to be inconsistent with community expectations.

Technical Review: Circulated Departments and Agencies

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Building Services | <input checked="" type="checkbox"/> Engineering | <input checked="" type="checkbox"/> Heritage Services |
| <input type="checkbox"/> Finance | <input type="checkbox"/> Utilities Kingston | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Fire & Rescue | <input type="checkbox"/> Kingston Hydro | <input type="checkbox"/> Environment Division |
| <input checked="" type="checkbox"/> Solid Waste | <input type="checkbox"/> Parks Development | <input type="checkbox"/> Canadian National Railways |
| <input type="checkbox"/> Housing | <input checked="" type="checkbox"/> District Councillor | <input type="checkbox"/> Ministry of Transportation |
| <input type="checkbox"/> KEDCO | <input type="checkbox"/> Municipal Drainage | <input type="checkbox"/> Parks of the St. Lawrence |
| <input type="checkbox"/> CRCA | <input type="checkbox"/> KFL&A Health Unit | <input type="checkbox"/> Trans Northern Pipelines |
| <input type="checkbox"/> Parks Canada | <input type="checkbox"/> Eastern Ontario Power | <input type="checkbox"/> CFB Kingston |
| <input type="checkbox"/> Hydro One | <input type="checkbox"/> Enbridge Pipelines | <input type="checkbox"/> TransCanada Pipelines |
| <input type="checkbox"/> Kingston Airport | <input checked="" type="checkbox"/> Transportation Services | |

Technical Comments

This application was circulated to external agencies and internal departments for their review and comment and there were no comments or concerns raised that would preclude this application from moving forward. Any technical comments that are received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

Public Comments

At the time this report was finalized, no public comments have been received. Any public comments received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

Previous or Concurrent Applications

An application for zoning by-law amendment (File number D14-012-2021) was submitted on September 2, 2021 to permit a mixed-use building on the subject property. The application was appealed by the developer to the Ontario Land Tribunal as no decision was made by the City within the time frame set out in the *Planning Act* (case number OLT-22-004553). The matter was settled by all parties, and in its decision dated November 22, 2023, the Tribunal ordered

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that the re-zoning be approved in accordance with Minutes of Settlement, which introduced Exception Number E114. This site-specific exception set out maximum required setbacks, setbacks, height limits, and maximum unit count, among other provisions.

The property is currently subject to an active Site Plan Control application (file number D11-010-2024) which is nearing completion of technical review. It is also the subject of an active consent application (file number D10-009-2024) to sever off a small 16.7 square metre portion and add it to neighbouring 364 Barrie Street, and in return receive 18.6 square metres of land from 364 Barrie Street. The consent applications essentially comprise a land swap intended to square off the parcels as the existing lot fabric was not conducive to development.

Conclusion

The requested variance maintains the general intent and purpose of both the City of Kingston Official Plan and Kingston Zoning By-Law Number 2022-62. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variance is minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and the application is being recommended for approval, subject to the proposed conditions.

Approval of this application will permit a reduction to the vertical clearance required for the loading area access of the proposed mixed-use building.

Existing Policy/By-Law:

The proposed application 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

Provincial Planning Statement, 2024

Municipal

City of Kingston Official Plan

Kingston Zoning By-Law Number 2022-62

Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on November 18, 2024 Pursuant to the requirements of the *Planning Act*, a notice of Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 10 days in advance of the meeting. In addition, notices were sent by mail to a total number of 69 property owners (according to the latest Assessment Roll) within 60 metres of the subject property and a

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courtesy notice was placed in The Kingston Whig-Standard (Exhibit H – Public Notification Map).

Once a decision has been rendered by the Committee of Adjustment, a Notice of Decision will be circulated in accordance with the provisions of the *Planning Act*.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

James Bar, Manager, Development Approvals, 613-546-4291 extension 1256

Chris Booth, Senior Planner, 613-546-4291 extension 3215

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Neighbourhood Context Map
- Exhibit D Official Plan Map
- Exhibit E Zoning By-Law Map
- Exhibit F Site Plan and Architectural Drawings
- Exhibit G Site Photos
- Exhibit H Public Notification Map
- Exhibit I Planning Brief
- Exhibit J Transportation Analysis
- Exhibit K Ontario Land Tribunal Decision and Approved Exception Number E114

Recommended Conditions

The approval of minor variance application, File Number D13-079-2024, to allow the reduced vertical clearance for access to a loading space, shall be subject to the following recommended conditions:

1. Limitation

That the approved minor variance applies only to the lot as shown on the approved drawings attached to the notice of decision.

2. No Adverse Impacts

The owner/applicant shall demonstrate to the satisfaction of the City that there are no adverse impacts on neighbouring properties as a result of any modifications to on-site grading or drainage.

3. Building Permit Application Requirements

The owner/applicant shall provide to the Building Services a copy of the decision of the Committee of Adjustment, together with a copy of the approved drawings, when they make application for a Building Permit.

The drawings submitted with the Building Permit application must, in the opinion of the City, conform to the general intent and description of the approved drawing(s), including any amendments and conditions approved by the Committee of Adjustment, as stated in the decision. It must be noted that additional planning approvals may be required should further zoning deficiencies be identified through the Building Permit application process.

4. Standard Archaeological Condition


In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca) and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

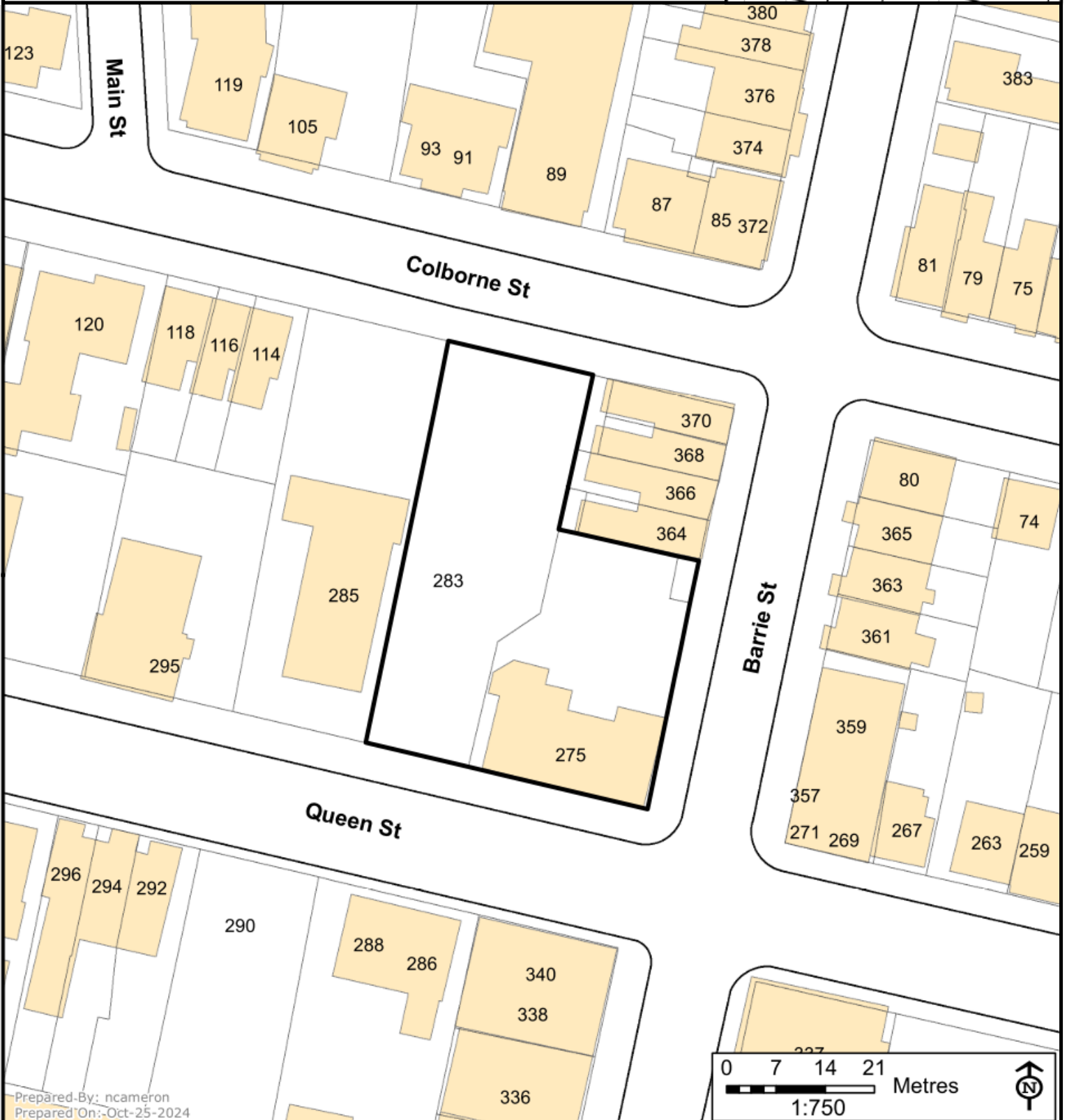
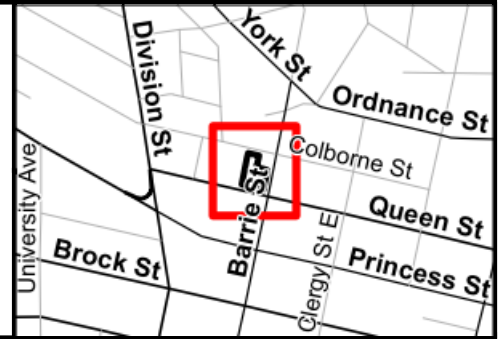
In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Office of the Chief Coroner as a part of the Ontario Ministry of the Solicitor General (1-877-991-9959), the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca), and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.



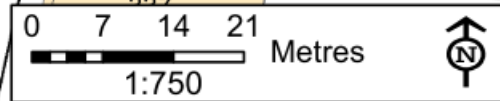
Committee of Adjustment Key Map

Address: 283 Queen Street
File Number: D13-079-2024
Prepared On: Oct-25-2024

 Lands Subject to Minor Variance



Prepared By: ncameron
Prepared On: Oct-25-2024





Committee of Adjustment Neighbourhood Context

Address: 283 Queen Street
File Number: D13-079-2024
Prepared On: Oct-25-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels






Prepared By: neameron
Prepared On: Oct-25-2024

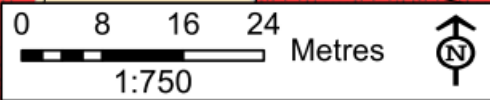
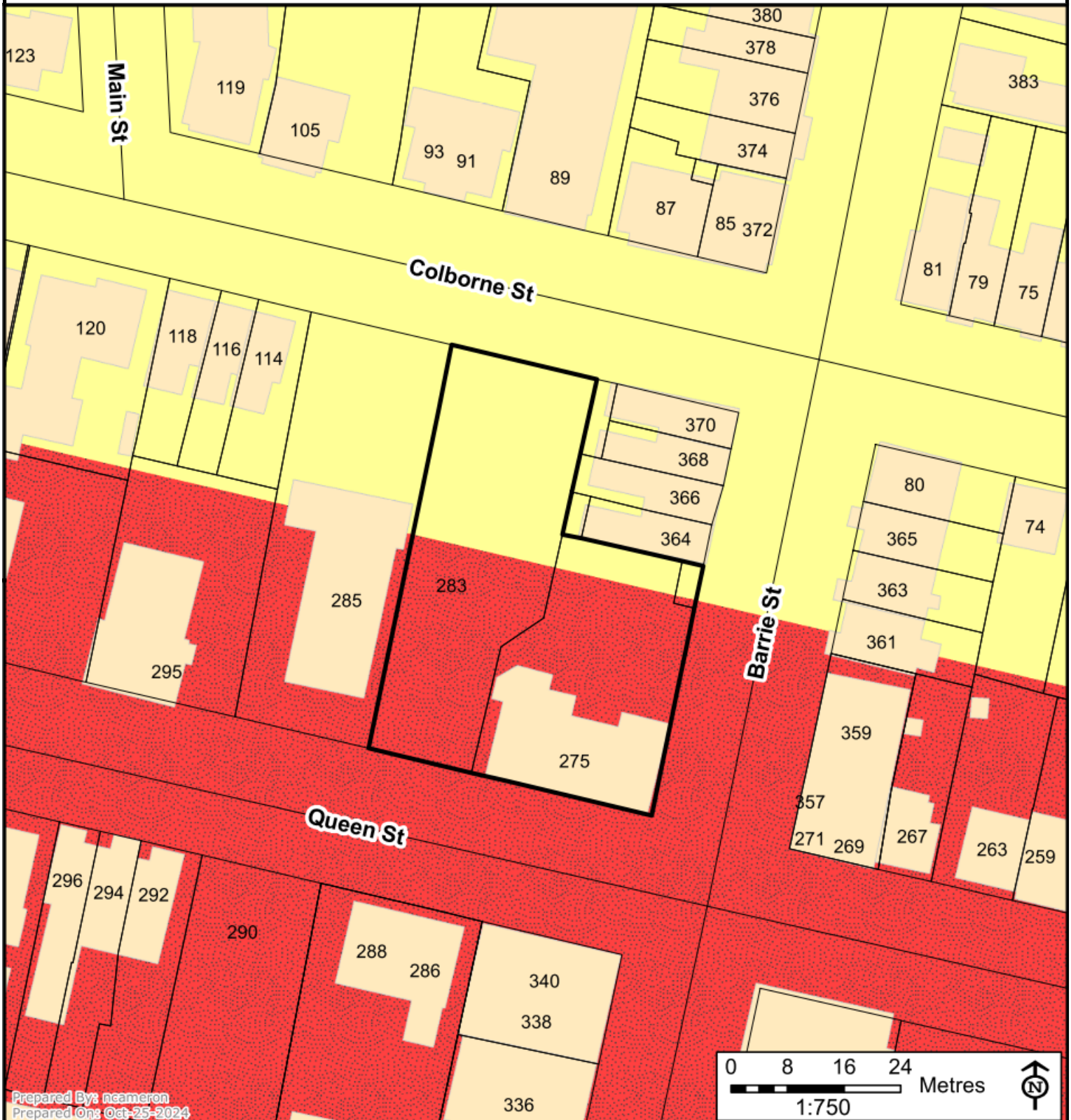
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Committee of Adjustment Official Plan, Existing Land Use

Address: 283 Queen Street
File Number: D13-079-2024
Prepared On: Oct-25-2024

-  Subject Lands
-  CENTRAL BUSINESS DISTRICT
-  RESIDENTIAL



Prepared By: ncameron
Prepared On: Oct-25-2024

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Planning Services

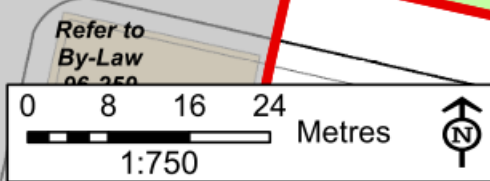
Planning Committee
Existing Zoning
Kingston Zoning By-Law 2022-62

Address: 283 Queen Street
File Number: D13-079-2024
Prepared On: Oct-25-2024

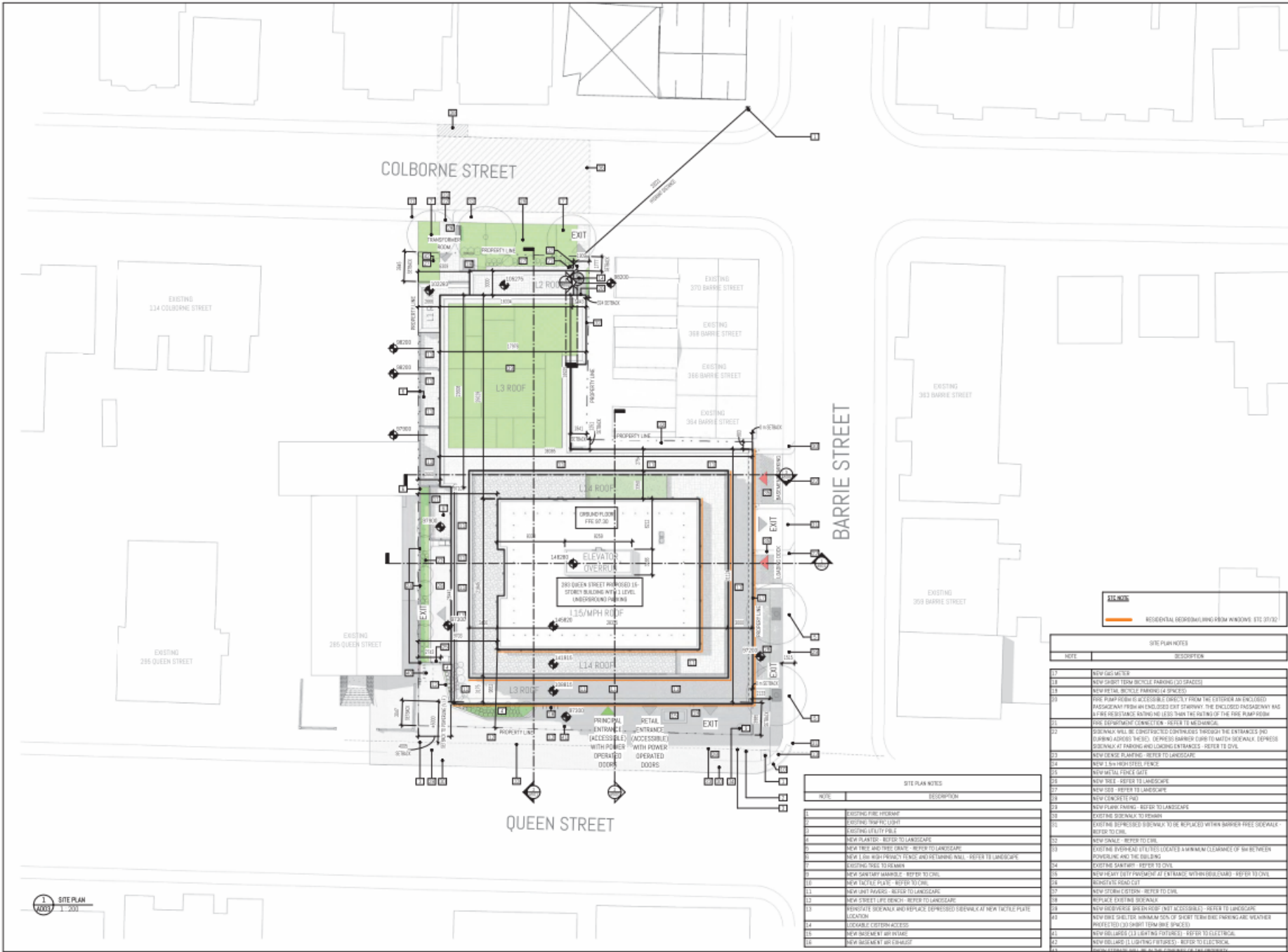
- Subject Lands
- Schedule 1 Zoning Map
- Zone
- Not Subject to the Kingston Zoning By-law
- Schedule E - Exception Overlay
- Legacy Exceptions (LXXX)
- Exceptions (EXXX)
- Schedule F - Holding Overlay
- Holding Overlay (HXXX)



Prepared By: ncameron
Prepared On: Oct-25-2024



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NO.	DATE	DESCRIPTION
1	2024.03.21	ISSUE FOR PERMIT
2	2024.03.21	ISSUE FOR PERMIT
3	2024.03.21	ISSUE FOR PERMIT
4	2024.03.21	ISSUE FOR PERMIT
5	2024.03.21	ISSUE FOR PERMIT
6	2024.03.21	ISSUE FOR PERMIT
7	2024.03.21	ISSUE FOR PERMIT
8	2024.03.21	ISSUE FOR PERMIT

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www.lemay.com

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STAIRS
RESIDENTIAL REDEVELOPING FROM WINDOWS - STD 31/32

SITE PLAN NOTES

NOTE	DESCRIPTION
17	NEW GAS METER
18	NEW SHORT TERM BICYCLE PARKING (20 SPACES)
19	NEW METAL BICYCLE PARKING (4 SPACES)
20	FIRE PUMP ROOM ACCESSIBLE DIRECTLY FROM THE EXTERIOR AN ENCLOSED PASSAGEWAY FROM AN ENCLOSED CITY STAIRWAY. THE ENCLOSED PASSAGEWAY HAS A FLOOR FINISHES AROUNDING LESS THAN THE FLOOR OF THE FIRE PUMP ROOM. THE ENCLOSURE CONDITION - REFER TO MECHANICAL.
21	SIDEWALK WILL BE CONCRETED DOWNWARDS THROUGH THE ENTRANCES AND BURNING ADDRESS THERE. DEPRESS BARRIER CURB TO MATCH SIDEWALK. DEPRESS SIDEWALK AT PARKING AND LOADING ENTRANCES - REFER TO CIVIL.
22	NEW FENCE RAMPING - REFER TO LANDSCAPE.
23	NEW 1.5m HIGH STEEL FENCE
24	NEW METAL FENCE GATE
25	NEW RAIL - REFER TO LANDSCAPE
26	NEW FENCE - REFER TO LANDSCAPE
27	NEW FENCE - REFER TO LANDSCAPE
28	NEW CONCRETE PAD
29	NEW PLUMB PARKING - REF TO LANDSCAPE
30	EXISTING SIDEWALK TO REMAIN
31	EXISTING SIDEWALK SIDEWALK TO BE REPLACED WITH BARRIER FREE SIDEWALK - REFER TO CIVIL.
32	NEW STAIRS - REFER TO CIVIL.
33	EXISTING OVERHEAD BYE LINES LOCATED A MINIMUM CLEARANCE OF 5M BETWEEN POWERLINE AND THE BUILDING.
34	EXISTING SANITARY - REFER TO CIVIL.
35	NEW HEAVY DUTY FLOORING AT ENTRANCE WITH BULLDOZE - REFER TO CIVIL.
36	RELOCATING ROAD CUT
37	NEW STORM COLLECTION - REFER TO CIVIL.
38	REPLACE EXISTING SIDEWALK
39	NEW SIDEWALK BURNING (NOT ACCESSIBLE) - REFER TO LANDSCAPE
40	NEW BURNING SHEET MINIMUM SIZE OF SHORT TERM BICYCLE PARKING ARE WEATHER PROTECTED (20 SHORT TERM BICYCLE SPACES)
41	NEW BELLARS (13) LIGHTING FIXTURES - REFER TO ELECTRICAL.
42	NEW BELLARS (LIGHTING FIXTURES) - REFER TO ELECTRICAL.
43	REMOVE EXISTING SIDEWALK AND RELOCATE TO THE PROPERTY.

SITE PLAN NOTES

NOTE	DESCRIPTION
1	EXISTING FIRE HYDRANT
2	EXISTING POWER LIGHT
3	EXISTING UTILITY POLE
4	NEW PLANTED - REFER TO LANDSCAPE
5	NEW TREE ARCHITECT DRAWING - REFER TO LANDSCAPE
6	NEW 1.5m HIGH PERMET FENCE AND STAINING WALL - REFER TO LANDSCAPE
7	EXISTING TREE TO REMAIN
8	NEW SANITARY MANHOLE - REFER TO CIVIL
9	NEW TACTILE PLATE - REFER TO CIVIL
10	NEW UNIT TRAYS - REFER TO LANDSCAPE
11	NEW UNIT TRAYS - REFER TO LANDSCAPE
12	NEW STREET LIGHT BENCH - REFER TO LANDSCAPE
13	RELOCATE SIDEWALK AND REPLACE DEPRESS SIDEWALK AT NEW TACTILE PLATE LOCATION
14	LOCKABLE CITYWALL ACCESS
15	NEW BASEMENT WALKWAY
16	NEW BASEMENT AIR CHASIS

1 SITE PLAN
1:200

Project:
283 Queen St.
KINGSTON, ONTARIO

Client Contact:
SITE PLAN

Project No:
21-005

Drawing Scale:
1:200

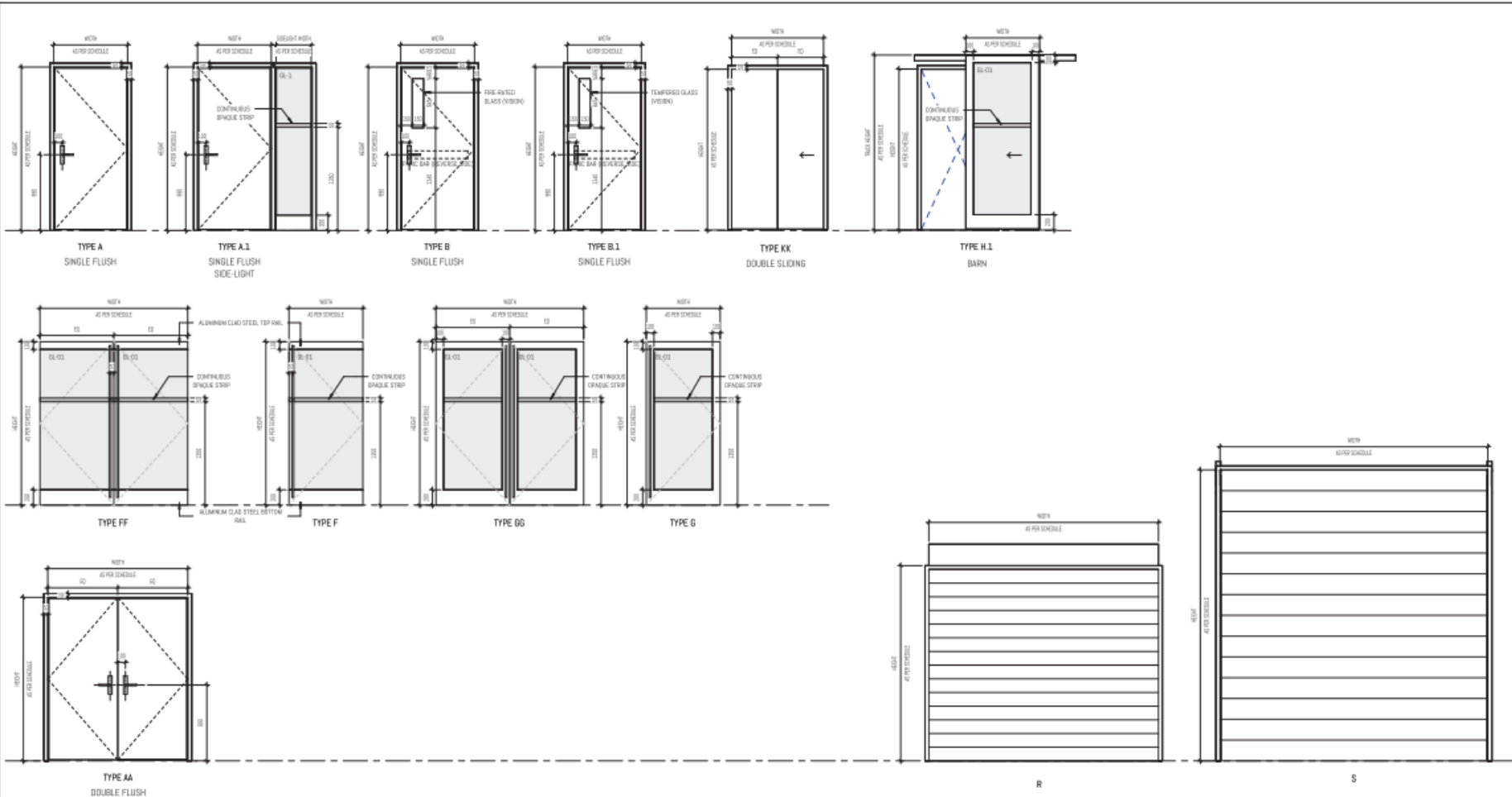
Drawn by:
JS

Reviewed by:
AF, KS

Date:
MARCH 01, 2024

Version:
A003

Page:
7



DOOR LEGENDS
1-25

- FLEXIBLE TRAFFIC TYPE NOTES:**
1. FLEXIBLE OVER-HEAD TRAFFIC DOORS INCLUDING BUT NOT LIMITED TO FOLLOWING:
 - 1. FLEXIBLE OVER-HEAD TRAFFIC DOORS, ELECTRICALLY OPERATED AND INTEGRATED WITH FLOOR ACTIVATION SYSTEM.
 - 2. DOOR GUIDES.
 - 3. DOOR HOOD.
 - 4. PROVIDE A NEAR AIRTIGHT SEAL AND KNOCK-AWAY FEATURE FOR EASY REASSEMBLY UPON IMPACT.
 - 5. AFTER ACCIDENTAL IMPACT, ENSURE OVERHEAD TRAFFIC DOOR IS CAPABLE OF BEING RESET FROM GROUND LEVEL WITHOUT USE OF LADDERS, TOOLS OR LIFT EQUIPMENT.
 - 6. PROVIDE ISOLATION ON THE ROLLER DOOR MOTOR TO PREVENT STRUCTURE-BORNE NOISE FROM DOOR OPERATION OF TRAFFIC DOOR.

REVISION	
NO.	DESCRIPTION
01	ISSUED FOR PERMITS
02	FOR OWNER REVIEW
03	FOR PERMITS

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www.enformarchitects.com

lemay
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T: 416-593-1100
www.lemay.com

ONARIO ASSOCIATION OF ARCHITECTS
REGISTERED PROFESSIONAL ARCHITECT

podium
BUILT WELL. BE WELL.

PROJECT
283 Queen St.
283 Queen St.
KINGSTON, ONTARIO

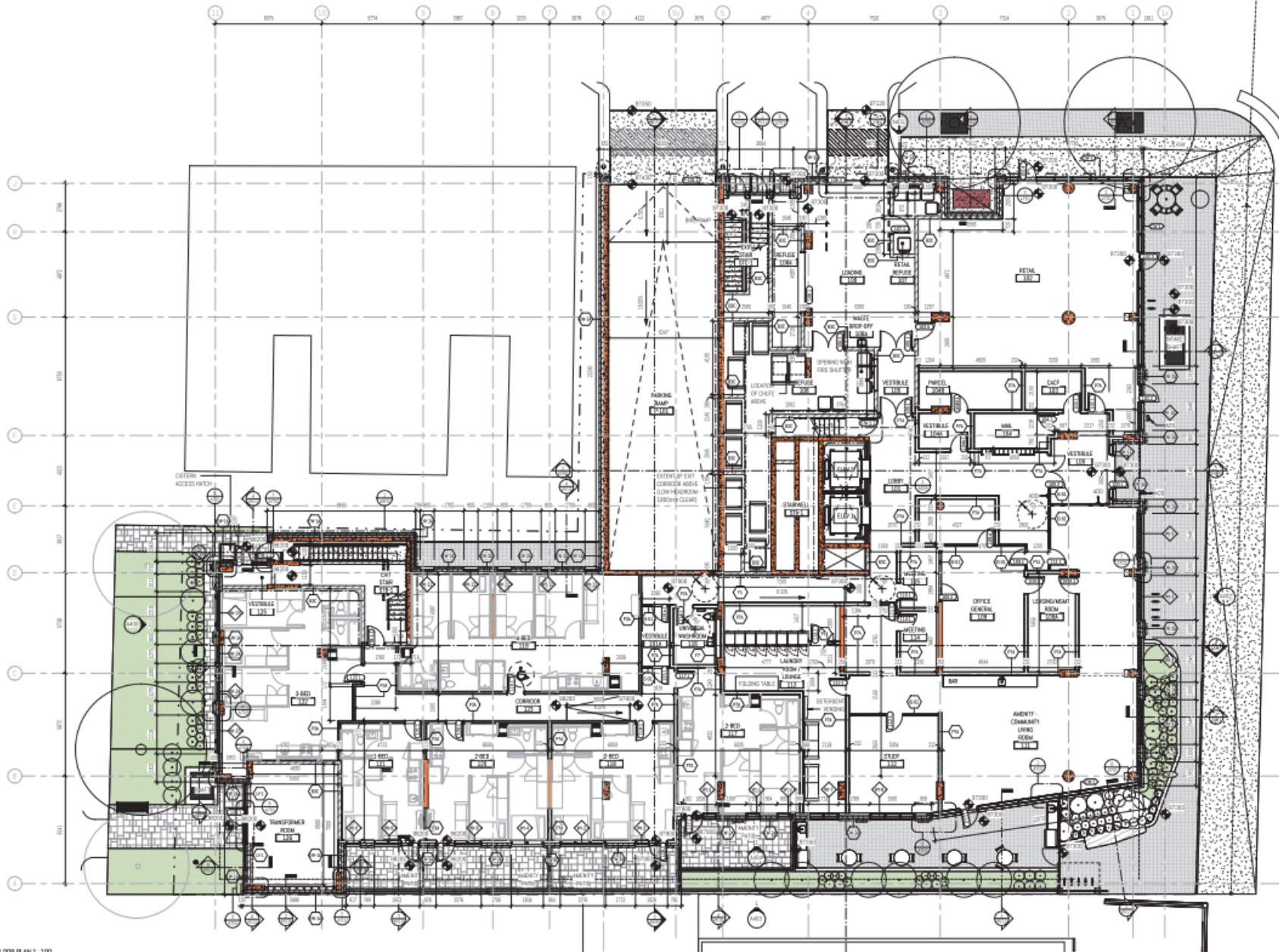
SHEET CONTAINS
DOOR TYPES AND DETAILS

PROJECT NUMBER:
21-005

ISSUING SCALE:
1:25

DESIGNED BY: CC
CHECKED BY: AF
DATE: 24/ MARCH 01, 2024

A010



LEVEL 01 - FLOOR PLAN 1:100
1-103



REVISION	
NO.	DESCRIPTION
01	ISSUE FOR PERMITTING
02	CLIENT REVIEW
03	FOR REVIEW

ENFORM
architects
ENFORM ARCHITECTS INC.
1284 Dundas West, Suite 3008
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www.enformarchitects.com

lemay
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Toronto, Ontario, Canada M5C 2E4
T: 416.593.8880
www.lemay.com



PROJECT
FOR THE USE OF THE LAND OWNERS
OR OCCUPANTS

podium
BUILT WELL. BE WELL.

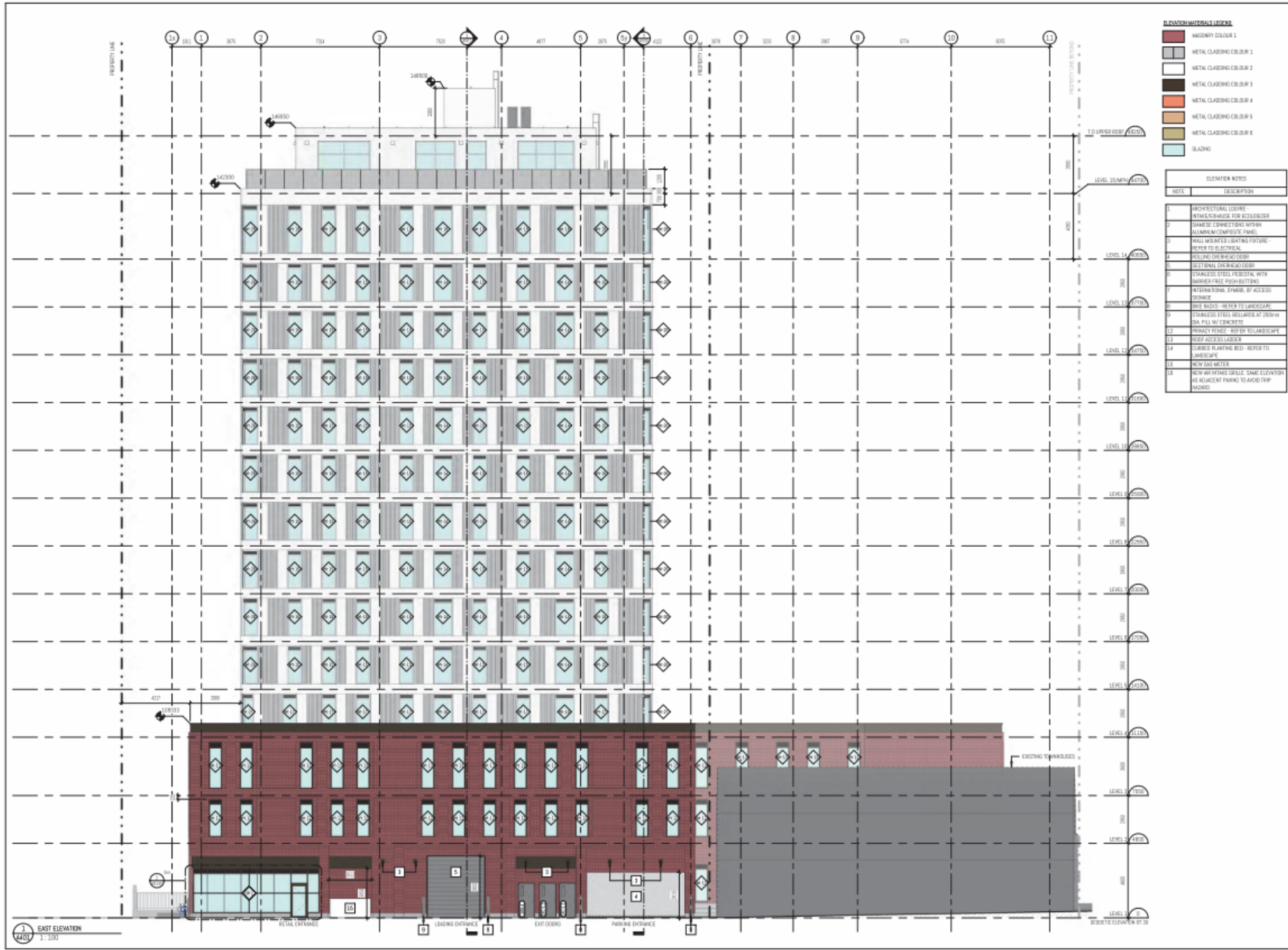
PROJECT
283 Queen St.

283 Queen St
KINGSTON, ONTARIO
PROJECT NUMBER:
FLOOR PLAN - LEVEL 01

PROJECT NUMBER:
21-005
DRAWING SCALE:
1:100

DESIGNED BY EC	PREPARED BY MF	DATE MARCH 01, 2024
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A211



- FINISH/MATERIALS LEGEND**
- Masonry Colour 1
 - Metal Cladding Colour 1
 - Metal Cladding Colour 2
 - Metal Cladding Colour 3
 - Metal Cladding Colour 4
 - Metal Cladding Colour 5
 - Metal Cladding Colour 6
 - GLAZING

ELEVATION NOTES

NOTE	DESCRIPTION
1	ARCHITECTURAL LOUVER - W/INTERCHANGE FOR OCCUPANCY
2	FRAME: COMBINING WITH ALUMINUM COMPOSITE PANEL
3	WALL MOUNTED LIGHTING FIXTURES - REFER TO ELECTRICAL
4	ROLLING DRIVEWAY DOOR
5	ELECTRICAL OVERHEAD DOOR
6	STAINLESS STEEL PERSIDA WITH BRASSER PANEL PUSH BUTTONS
7	INTERNATIONAL SYMBOL OF ACCESS CHANGE
8	W/RY MASS - REFER TO LANDSCAPE
9	STAINLESS STEEL BELLERON AT DRIVEWAY FILL W/ CONCRETE
10	IMPACT RESIST - REF TO LANDSCAPE
11	STAIR ACCESS LANDING
12	CLARIFIED PLANTING BED - REFER TO LANDSCAPE
13	W/RY MASS W/RY
14	W/RY W/RY INTAKE GRILLE - SAME ELEVATION AS ADJACENT PARKING TO AVOID TRIP HAZARD

REVISION

NO.	DATE	DESCRIPTION

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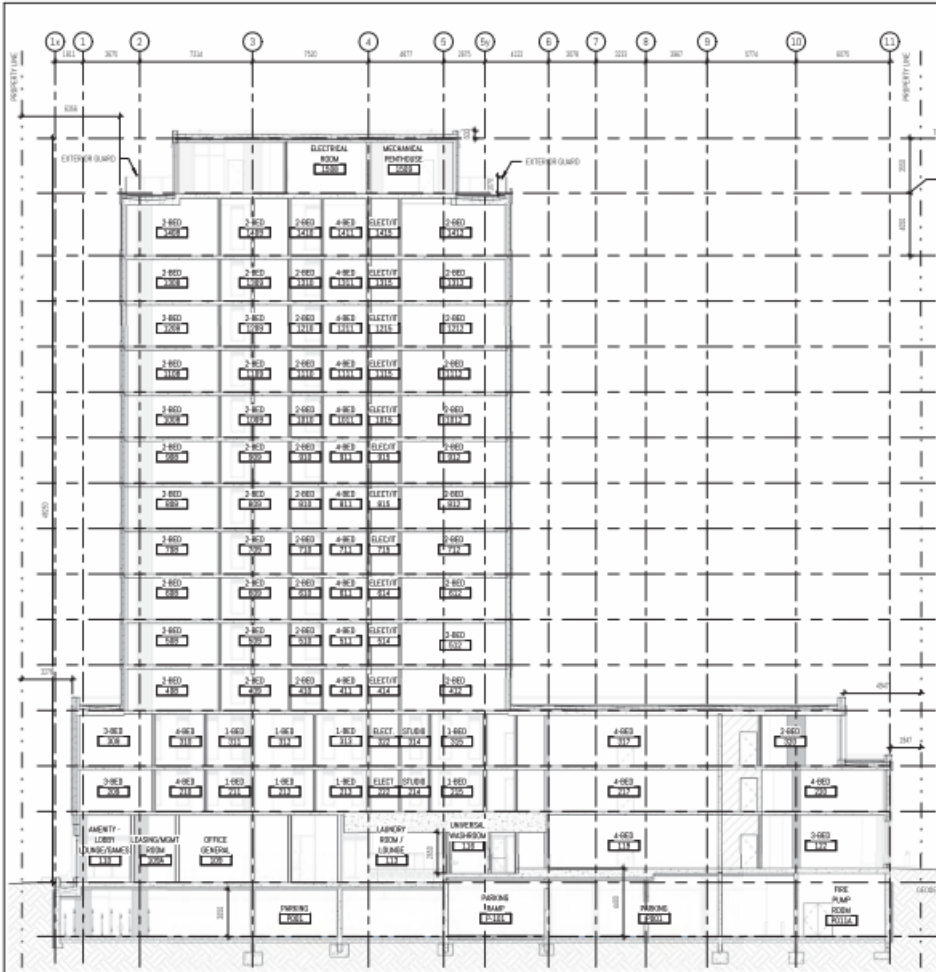
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ONTARIO ASSOCIATION OF ARCHITECTS
MEMBER ARCHITECTS
 REAL PROPERTY
 LICENSE
 RAC

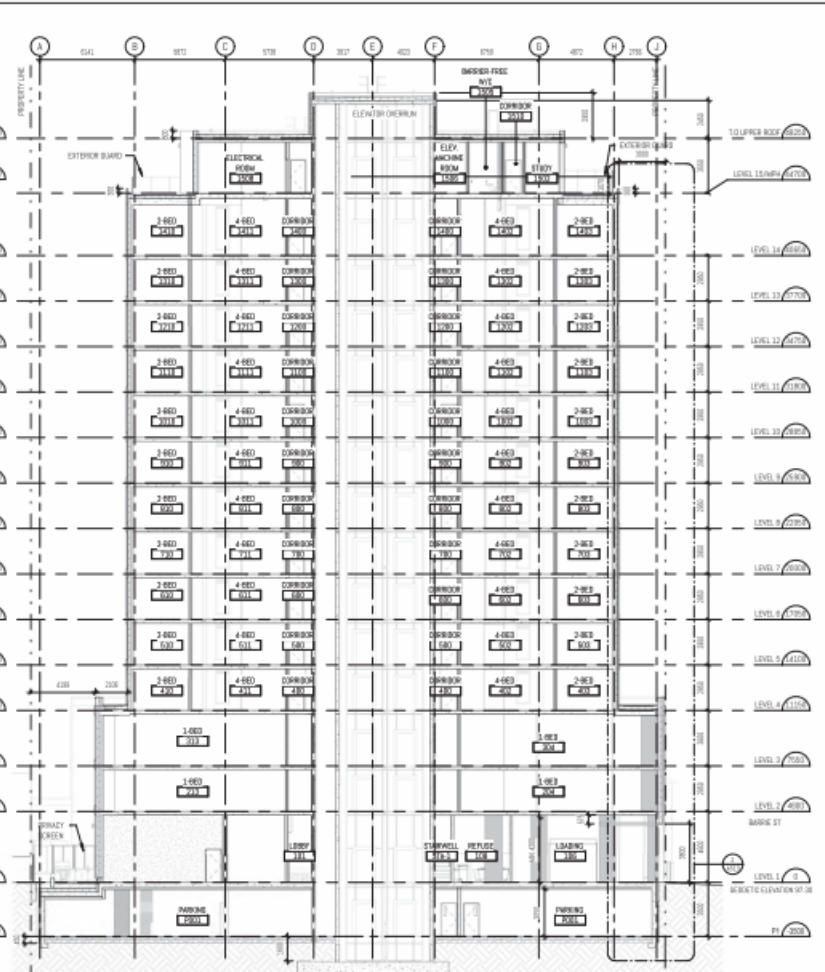
podium
BUILT WELL. BE WELL.

PROJECT
283 Queen St.
283 Queen St
KINGSTON, ONTARIO
SHEET CODE(S)
EAST ELEVATION

PROJECT NUMBER:
21-005
SHEET SCALE:
1:100
DESIGNED BY:
EC
CHECKED BY:
AF
DATE:
MARCH 01, 2024
PROJECT NO:
A401



2 BUILDING SECTION - N-S LOOKING WEST
AS01 1:150



1 BUILDING SECTION - E-W LOOKING NORTH
AS01 1:150

REVISION		
NO.	DATE	DESCRIPTION

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Architect
FOR THE RECORD BY LAND OWNERS
ON BEHALF OF

podium
BUILT WELL. BE WELL.

PROJECT
283 Queen St.

283 Queen St
KINGSTON, ONTARIO

DRAWN FOR
BUILDING SECTIONS

PROJECT NUMBER
21-005

DRAWING SCALE
1:150

Drawn By
EC

Checked By
AF

Date
MARCH 01, 2024

Sheet No.
A501

Site Photos

The subject site is depicted through the following photographs, taken October 23, 2024.



Figure 1: Overall view of the subject site, looking northwest from the intersection of Queen Street and Barrie Street. The 4-storey office building and surface parking lot (situated behind) would be removed to accommodate the development of a 15-storey mixed use building with 178 rental apartments and 132 square metres of ground floor commercial. The rowhouses on Barrie Street (to the right of the image) would remain, as would the Renaissance restaurant and event centre partially visible on Queen Street (to the left of the image).



Figure 2: View of the subject site along Queen Street. The Renaissance restaurant and event centre is visible to the left of the image. As the tower portion of the proposed building would be situated along Queen Street, this frontage would host the main pedestrian entrances for the commercial space and the main lobby for the apartments.



Figure 3: View from Queen Street down Barrie Street, looking north towards the intersection with Colborne Street. The subject site is to the left of the image. All vehicular access to the proposed building, including loading, would be from Barrie Street. The loading dock would be internal to the building, accessed via an overhead door providing vehicles with vertical clearance of 3.8 metres. The loading space itself would provide the necessary 4.2 metre vertical clearance.



Figure 4: View from the intersection of Barrie Street and Colborne Street, looking southwest. The proposed building would wrap around the rear of the rowhouses pictured in the foreground.



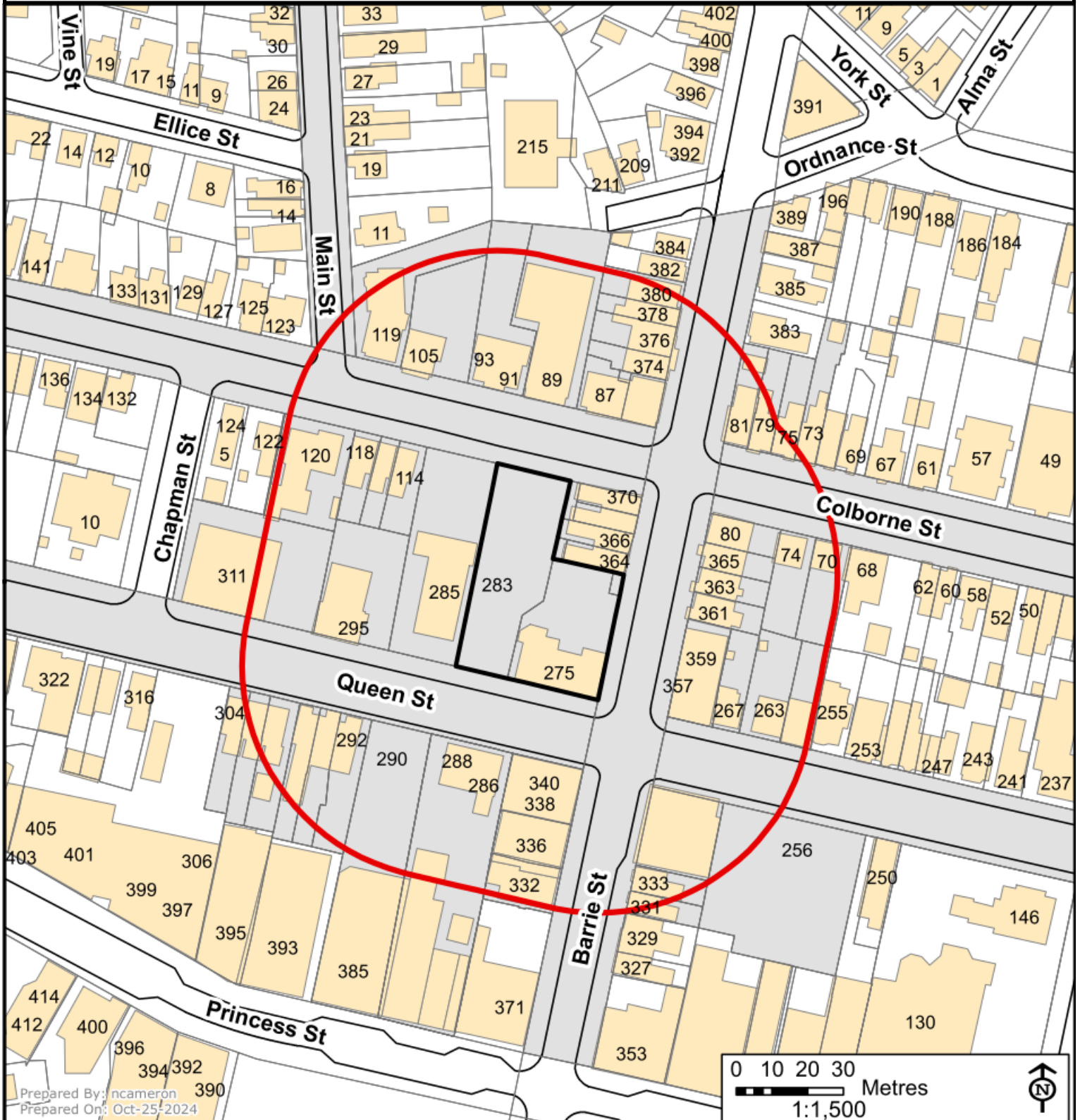
Figure 5: View of the subject site along Colborne Street. The surface parking lot of the subject property is visible, alongside the rear yard of the rowhouses. The driveway entrance pictured here would be closed, and replaced with a continuous boulevard punctuated with two pedestrian walkways giving access to the proposed building, and an additional tree. The portion of the building along Colborne would be limited to three storeys in height, with a large greenroof atop.



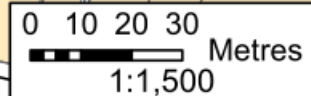
Committee of Adjustment Public Notice Notification Map

Address: 283 Queen Street
File Number: D13-079-2024
Prepared On: Oct-25-2024

- 60m Public Notification Boundary
- Subject Lands
- Property Boundaries
- Proposed Parcels
- 62 Properties in Receipt of Notice (MPAC)



Prepared By: incameron
Prepared On: Oct-25-2024



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283 QUEEN STREET

Planning Letter – Minor Variance

September 30, 2024

Mr. Chris Booth
Senior Planner
Planning Services
1211 John Counter Boulevard
City of Kingston

**RE: 283 Queen Street, Kingston
Planning Letter – Minor Variance Application**

Dear Mr. Booth,

Fotenn Planning + Design has been retained by Podium Developments on behalf of 283 Queen LP to prepare this planning justification letter in support of a minor variance for the property known municipally as 283 Queen Street ('the site') in the City of Kingston. A minor variance application is required to address the vertical clearance of the loading space proposed within the building. This letter provides the planning rationale in support of this application. The site is designated Residential and Central Business District on Schedule 3A – Land Use of the Official Plan. The site is also partially located within the Lower Princess Street Retail Area identified on Schedule DH-1 – Sub-Areas, Downtown and Harbour Specific Policy Area. The uses permitted in the Downtown and Harbour Area are those uses that are in accordance with the land use designations shown on Schedule 3A of the Official Plan. The site is zoned as Downtown 1 (DT1) in Zoning Schedule 1 of the Kingston Zoning By-law Number 2022-62, which permits the proposed mixed-use building. The site is also subject to Exception Overlay E114 under Kingston's Zoning By-law No. 2022-62, which introduces site-specific provisions to support the proposed development.

The applicant is seeking a minor variance from Section 7.5.5 of the Kingston Zoning By-Law 2022-62 to accommodate a reduced vertical clearance at the loading space entrance. The applicant is requesting a reduction to 3.8 metres at the initial entrance, while the interior garage space adheres to the 4.2-metre by-law requirement.

The 3.8-metre entrance clearance will still allow the loading area to function effectively, as the main loading space beyond the entrance complies with by-law requirements. This minor variance is essential in facilitating the development of the building and does not impact the building's overall use or design, as the reduced clearance applies only to the entrance portion of the garage, which cannot feasibly be altered due to structural and design constraints. As a result, an application for minor variance will be required to reduce the height of the loading space at the entrance. The following documents are submitted in support of the application:

- / Architectural Elevations;
- / Letter of Support from Traffic Engineers; and,
- / This Planning Letter.

Site Description + Surrounding Context

The site, located at 283 Queen Street in Kingston, sits at the northwest corner of Queen Street and Barrie Street within Kingston’s Downtown and Harbour Area. It encompasses 1,956 square metres (0.19 hectares) with frontage on Queen Street, Barrie Street, and Colborne Street. A 15-storey mixed-use residential and commercial building is permitted on the site via a zoning by-law amendment that provides site-specific zoning relief for minimum amenity area, projections above maximum height, building setbacks, maximum tower floorplate, mechanical penthouse performance standards maximum dwelling units, parking spaces, horizontal bike parking, and stacked bike parking, approved under Kingston Zoning By-law 2022-62, Section 21, Exceptions E114 (By-Law 2022-62; 2023-221, ordered by OLT-22-004553).

The surrounding area features various residential types and densities, commercial spaces, community facilities, institutional uses, and open spaces, positioning the site as a transition point between downtown Kingston and the primarily residential neighborhood north of Princess Street Corridor. The site is well-served by Kingston Transit and features sidewalks on Queen, Barrie, and Colborne Streets, enhancing accessibility and connectivity.



Figure 1: Site Context (Source: K-Maps, annotated by Fotenn Planning + Design)

The following uses are located immediately adjacent to the site:

- / **North:** Residential and Institutional
- / **East:** Residential and Commercial
- / **South:** Residential and Commercial
- / **West:** Residential and Commercial

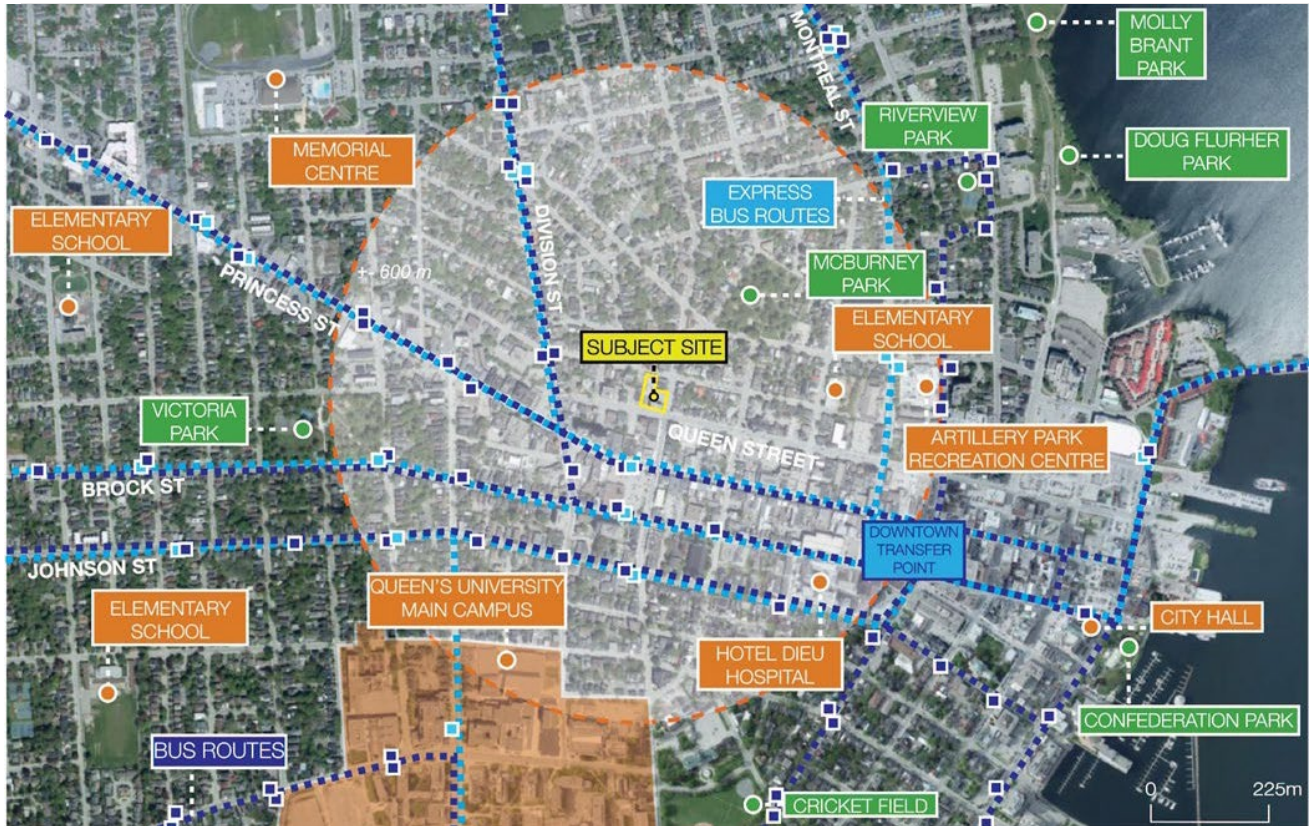


Figure 2: Neighbourhood Context (Source: Kingston KMaps, annotated by Fotenn Planning + Design)

Proposed Development

The applicant is seeking a minor variance from Section 7.5.5 of the Kingston Zoning By-Law 2022-62 to accommodate a reduced vertical clearance at the loading space entrance. The applicant is requesting a reduction to 3.8 metres at the initial entrance, while the interior garage space adheres to the 4.2-metre by-law requirement. All other components of the development comply with the zoning by-law, including those provisions set out in Exception Overlay Zone E114, as determined through by-law 2023-221, ordered by OLT-22-004553.

The second storey structural slab would require to be raised by 0.4 metres to accommodate a 4.2 metre vertical clearance at the entrance exterior opening into the Loading Dock. Raising the elevation of the second storey structural slab would negatively impact the slab-to-slab elevations of the residential floors above. Therefore, the reduced clearance at the entrance has been proposed to ensure functionality of all building components without significantly affecting the building's external appearance from the street.

The proposed 3.8-metre entrance clearance will ensure the loading area functions effectively, as the main loading space inside meets the 4.2-metre by-law requirement. This minor variance is required to avoid a redesign of the approved building design and structural integrity without affecting height or massing. The reduced clearance is limited to the garage entrance is a practical solution that upholds the functionality and longevity of the building.

Only those vehicles which can be supported by such reduction to the entrance (i.e. those that would fit in the loading space) will be permitted to utilize the loading space. Per the letter prepared by Arcadis, a wide variety of vehicles are expected to be able to access the loading space via a 3.8-metre entrance, including most vehicles used by parcel delivery companies, moving companies, and those available for individuals to rent. The applicant anticipates utilizing vehicles in this size category for privately operated waste collection. Residents and individuals utilizing the loading space for commercial uses will be limited to the use of a vehicles in this size category that will safely fit in the loading space.



VIEW FROM BARRIE AND QUEEN STREET WEST
Figure 3: Northwest Viewpoint (Source: Enform Architects)



VIEW FROM BARRIE STREET
Figure 4: View from Barrie Street (Source: Enform Architects)

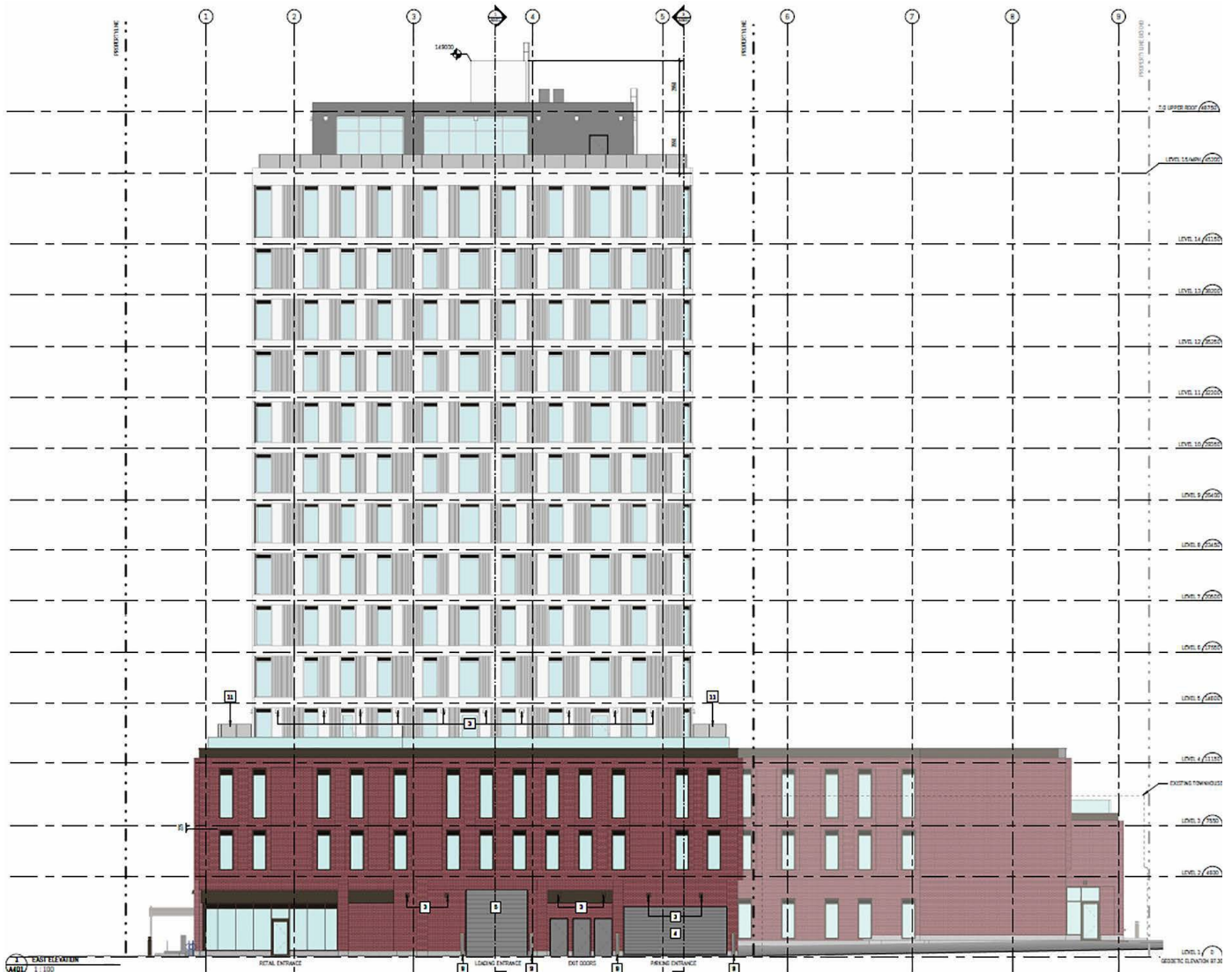


Figure 5: South Elevation (Source: Enform Architects)

Supporting Studies

Letter of Support – Arcadis

On September 30, 2024, a letter of support was issued by the consulting traffic engineer assisting with the development of this site. Through a review of precedents set in urban areas in Ontario, Arcadis has determined that the vertical clearance of 3.8 metres at the entrance to the loading space is sufficient for the uses proposed on the site. A review of vehicle types that are likely to access the space for the purposes of small-scale commercial deliveries, private waste collection, and residential moving, has been conducted in support of the minor variance as proposed. The letter prepared by Arcadis is submitted as part of this minor variance application.

Policy and Regulatory Framework

Provincial Policy Statement, 2020

The 2020 Provincial Policy Statement (PPS) offers overarching land use policy guidance on matters of provincial interest related to planning in Ontario municipalities. Municipal council decisions must align with the PPS, which addresses key issues such as the efficient use of land and infrastructure, the protection of natural and cultural heritage, maintaining a housing supply that meets the diverse demographic and economic needs of households, and conserving natural resources for future generations.

The proposed reduction in minimum vertical clearance aligns with the Provincial Policy Statement (PPS) by facilitating residential development in an area designated for intensification. This development is well-situated near transit, diverse land uses, and has access to municipal infrastructure and services. The development is consistent with the overarching policy direction of the PPS 2020, and the specific request for minor variance is consistent with, at a minimum, the policies in sections 1.1.1, 1.1.3, 1.4.3, 1.5.1 (a), 1.6.6.7, and 1.8.1.

This proposal is consistent with the 2020 Provincial Policy Statement.

Provincial Planning Statement, 2024

On August 20th, 2024, the Ontario government released the Provincial Planning Statement 2024 (2024 PPS), coming into effect on October 20th, 2024. The 2024 PPS replaces the 2020 PPS and introduces changes that will apply to all Planning Act decisions made after the date it comes into force. The 2024 PPS provides policy direction on matters of provincial interest related to land use planning and development. Notably, the 2024 PPS sets out policies to increase the supply and mix of housing options in Ontario while maximizing investments in infrastructure and public service facilities and protecting natural areas, agricultural uses and sensitive areas. PPS 2024 policies that are directly relevant to the proposed variance include, but are not limited to, those in sections 2.1.6, 2.2, 2.3.1, 2.9, and 3.6.8.

This proposal is consistent with the 2024 Provincial Planning Statement.

Minor Variance

The site is zoned Downtown 1 (DT1) under Kingston Zoning By-law 2022-62 and Exception Overlay Zone E114. A minor variance application is required to address the zoning compliance for the vertical clearance of the loading space, as impacted by building components in the proposed development.

Description of Requested Variances

To permit the proposed development, relief from the following provisions is required:

7.5.5. The minimum dimensions of a loading space are 3.5 metres wide by 9.0 metres long, with a minimum vertical clearance of 4.2 metres.

Relief is required to decrease the minimum vertical clearance from 4.2 metres to 3.8 metres.

Four Tests

The assessment of the proposed variances is undertaken following the tests described in Section 45(2) of the Planning Act and in Section 9.5.18 of the City of Kingston Official Plan (OP), as follows:

- Test #1: Is the general intent and purpose of the Official Plan maintained?*
- Test #2: Is the general intent and purpose of the Zoning By-law maintained?*
- Test #3: Is the variance minor?*
- Test #4: Is the variance desirable for the appropriate development or use of the lands in question?*

Test #1: Is the general intent and purpose of the Official Plan maintained?

The OP provides guidance on how to determine the desirability of a minor variance. The requested reliefs are necessary to permit the proposed development. Section 9.5.19 of the OP states when considering whether a variance is desirable for the appropriate development or use of the land, building or structure, the Committee of Adjustment will have regard for, but will not necessarily be limited to, the following in their review:

- a. *the proposed development meets the intent of Section 2 Strategic Policy Direction, and all other applicable policies of this Plan;*

Section 2 of the OP provides strategic policy guidance for land development in the City. The site is situated inside the Urban Boundary, as defined in Schedule 2 – City Structure of the Official Plan. According to Section 2.1.1, most the City's growth is intended to occur within this boundary to support a more sustainable development pattern and optimize the use of existing services. The proposed development is well-positioned within this designated growth area. The requested minor variance will not alter the overall design of the development but will ensure the building's functionality is maintained while adhering to all other zoning by-law requirements.

- b. *the proposed development will be compatible with surrounding uses, buildings or structures and development standards associated with adjacent properties, and if necessary, incorporate means of alleviating adverse effects on abutting land uses as recommended in Section 2.7 of this Plan;*

The proposed reduction in vertical clearance for the loading space will not impact the surrounding area, buildings, or structures. The requested reduction applies solely to the entrance of the loading space, which cannot be raised further without negatively impacting slab-to-slab distances throughout the entirety of the building. The interior of the loading space meets the Zoning By-law's height requirement of 4.2 metres, ensuring that its functionality remains unaffected. The reduction in height of the loading space is limited to the site.

- c. *the ability of the site to function in an appropriate manner in terms of access, parking for vehicles and bicycles or any other matter and means of improving such function including considerations for universal accessibility;*

Reducing the minimum vertical clearance at the entrance of the loading space from 4.2 metres to 3.8 metres, while maintaining the interior height in compliance with the Zoning By-law, ensures the proper function of all other parking and access without compromising the building's architectural integrity. As stated in Arcadis' letter, a variety of vehicle types can be accommodated by the proposed loading space size. As waste collection and deliveries onsite will be operated privately, control and limits on vehicle types using the loading space is a suitable solution to accommodate for the reduction in entrance height.

- d. *the conformity of the proposal to any applicable urban design policies endorsed by Council, particularly if the site includes or could impact a built heritage resource or is within a Heritage District;*

The building orientation and design will not change because of the decreased vertical clearance of the loading space entrance. The loading space entrance will continue to be functional. No heritage impacts are anticipated.

- e. *if the site is designated under the Ontario Heritage Act, the application shall be reviewed by Heritage Kingston for approval. If the property is adjacent to a designated property under the Ontario Heritage Act or shown as a Heritage Area feature, or is affected by the protected views shown on Schedule 9 of this Plan, then a heritage impact statement may be required to assist staff to determine if the resulting development is desirable;*

The site is located abutting and in proximity to built heritage resources designated under Part IV of the *Ontario Heritage Act*. The reduced height of the loading space will not impact the proposed building design, massing, or materiality, which have been chosen through multiple iterations of site plan control technical review to complement and respect the existing context, inclusive of heritage resources. The proposed variance will not affect the surrounding heritage resources.

- f. *the resulting development has adequate municipal water and sewage services within the Urban Boundary, or is capable of providing individual on-site water and sewage services outside the Urban Boundary;*

The proposed reduction to the vertical clearance of the loading space has no impact on site servicing. Servicing continues to be evaluated through the ongoing site plan control process.

- g. whether the application and the cumulative impact of the proposed variances would be more appropriately addressed by a zoning amendment to the applicable zoning by-law;*

To permit the creation of the mixed-use residential and commercial building with functional use of the loading space, while maintaining the proposed structural makeup of the building, a variance is required to permit the decreased vertical clearance of the loading space. This application would not be more appropriately addressed by a zoning by-law amendment as the general intent of the zoning by-law is met by this proposal, and the variance allows the site to function more efficiently, in accordance with OP policy guidance.

- i. the degree to which such approval may set an undesirable precedent for the immediate area.*

The *Downtown and Harbour Area Architectural Guidelines Study* (2007), prepared for the City of Kingston, provides a framework for evaluating development proposals in this significant area. The site in question falls within the *Lower Princess Street Sub-area*, and the proposed development adheres to the guidelines outlined for this sub-area, as well as the broader *Architectural Character Plan*. Importantly, the requested minor variance does not establish an undesirable precedent, as the loading space is located appropriately on the Barrie Street frontage of the building, and the adjustment does not visually impact the building's façade.

Section 2.7.3 contains policies regarding land use compatibility matters for achieving land use compatibility. Section 2.7.3 notes land use compatibility matters include but are not limited to:

- a. shadowing*
b. loss of privacy due to intrusive overlook

The decrease in the minimum vertical clearance of the loading space will not have any impact on shadowing or privacy. The loading space entrance is located at-grade on Barrie Street, and will function solely as such use, and only when required.

- c. increased levels of light pollution, noise, odour, dust or vibration;*

The application is subject to an ongoing site plan control process in which the impacts related to light pollution, noise, odour, dust, and vibration continue to be reviewed from a technical standpoint. The decrease in height at the loading space is not anticipated to have any impact on these externalities.

- d. increased and uncomfortable wind speed;*

The development is currently being reviewed through site plan control. This technical review includes the review of a Pedestrian Level Wind Assessment by Gradient Wind Engineering Inc. to confirm that building height, massing, setbacks, and design reduce wind impacts, creating a comfortable environment. The variance should not increase wind speeds on or around the site, as it will have no effect on wind conditions.

- 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;*

The Traffic Impact Study initially submitted in support of the development by Arcadis (formerly IBI Group) concluded that the proposed development would have a reasonable impact on nearby intersections while enhancing the use of active transportation and transit infrastructure by increasing ridership and diversifying the modal split. Secure, internal bicycle parking will further support active transportation for residents. Arcadis has also prepared a letter of support for the currently proposed minor variance to reduce the loading space's vertical clearance. Based on the vehicle type anticipated to access the loading space, and based on other urban precedents, Arcadis has confirmed that the variance requested is supportable. No adverse impacts to traffic flow or the functionality of the site are anticipated.

- f. environmental damage or degradation*
g. diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded

The reduction in vertical clearance for the loading space will have no environmental impact or diminished service levels. The variance will only apply to the site itself.

- h. reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting;*

The reduction of the vertical clearance at the entrance of the loading area permits the architects to maintain the proposed heights of each storey, which are proposed at specific datum lines that enhance compatibility with the surrounding built form, including heritage building context. Additionally, by varying the entrance to the loading area, no other site layout (internal or external) changes are required. Therefore, amenity areas will be maintained as designed, and the development overall aligns with what was approved through zoning and discussed through site plan control technical review.

- i. visual intrusions that disrupts the streetscape or buildings;*

The proposed minor variance is not anticipated to generate a notable visual impact, as the reduction is kept within the confines of the building wall.

- j. degradation of cultural heritage resources;*

As aforementioned, the applicant intends to incorporate compatible architectural features to complement the surrounding area and protect cultural heritage resources. The proposed variance to the height of the enclosed loading area will not affect these heritage considerations.

- k. architectural incompatibility in terms of scale, style, massing and colour, or,*

As discussed, the proposed minor variance will not affect any design elements of the building other than the proposed height of the door to the loading space, which has been consistently proposed at 3.8 metres in height. The visual difference between the required 4.2 metres and 3.8 metres is negligible. The variance supports the continued design of the building as proposed, maintaining the current slab-to-slab layout.

- l. the loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.*

The proposed design enhances views of the harbour and downtown while preserving significant cultural heritage resources and natural features, with the nearest protected view outlined in Schedule 9 of the Official Plan beginning several blocks south of the site. Strategic setbacks incorporated into the building design allow for appreciation of the adjacent heritage resource at 285 Queen Street and ensure compatibility with other nearby heritage buildings. The reduction to the loading space height is solely applicable to the vehicular entrance located on Barrie Street. The proposed minor variance to reduce the vertical clearance for the loading area from 4.2 metres to 3.8 metres does not impact heritage views or the preservation of cultural heritage resources.

Section 2.7.6 of the Official Plan outlines the policies that must be addressed to support development. It specifies that the functional needs of occupants or users should be met by:

- a. suitable scale, massing and density in relation to existing built fabric;*

The proposal features a high-density, mixed-use development with heights ranging from three to 15 stories, primarily concentrated in the southern portion of a through lot. A three-storey podium aligns with the street wall height along Queen and Barrie Streets, maintaining a human-scale in the pedestrian-friendly downtown area. Stepbacks will also be applied to the tower above, allowing for a suitable scale and transition in relation to the existing built fabric. Allowing for a decrease vertical clearance in the loading space will not affect the scale, massing and density of the proposed structure in relation to existing built fabric.

- 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;*

The redevelopment will feature a variety of plantings and other landscaping treatments in accordance with the landscaping plans submitted through the site plan control application. The proposed reduction to the height of the loading space entrance will not affect any landscaping elements.

c. adequate land area and appropriate site configuration or provision for land assembly, as required;

The size and configuration of the site is conducive to the development. The minor reduction in height to the entrance of the loading area is reflective of an attempt to fit the approved development on the site in a manner which maintains planned building layouts and functional requirements (i.e. floorplans, ceiling heights, slab distances, structural load dimensions, etc.). The proposed minor variance will facilitate the planned site configuration as approved.

d. efficient use of municipal services, including transit;

e. appropriate infill of vacant or under-utilized land; and,

The proposed development will leverage existing municipal infrastructure and services, including nearby transit, while redeveloping underutilized lands in Kingston's Central Business District, close to open space, commercial, institutional, and employment uses. This location is well-suited for a high-density mixed-use residential and commercial development. The proposed minor variance to decrease the vertical clearance to 3.8 metres will not impact municipal services or the effective utilization of the site.

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.*

The proposed reduction in vertical clearance for the loading space from 4.2 metres to 3.8 metres will not negatively impact the provision of amenity space. Site access, parking spaces, and overall parking functionality will operate as intended.

Downtown and Harbour Specific Policy Area

Section 10A of the OP provides policy guidance for development in the Downtown and Harbour Special Policy Area, recognized as the City's oldest and most diverse area with significant cultural heritage. This area features a mix of commercial, office, residential, and tourist uses. While largely developed, it allows for sensitive infill. The site is partly located within the Lower Princess Street Retail Area, designated for mixed-use and higher-density residential developments that enhance the area's vitality and sense of place. The strategic intent is to maintain the downtown as a prime, multi-faceted hub for the City and region.

Section 10A.1.1 of the Official Plan states:

A broad mix of uses will be encouraged in the Downtown Area and in much of the Harbour Area (shown on Schedule DH-1), including the widest range of commercial use, as well as civic, institutional, open space, recreation, cultural and higher density residential use provided that such uses are supportive of its vitality, human scale, pedestrian activity, historic fabric and function.

The site is partially located in the Lower Princess Street Retail Area on Schedule DH-1 Sub-Areas, Downtown and Harbour Specific Policy Area of the Official Plan. The proposed development consists of a 15-storey high-density mixed-use residential and commercial building containing 178 residential units and 143 square metres of at-grade commercial space that will encourage interaction between outdoor, commercial, and residential uses. The decreased vertical clearance from 4.2 metres to 3.8 metres will not have any impact on the layout or uses of the building, thereby not affecting the intent of the Lower Princess Street Retail Area.

Section 10A.1.7 of the Official Plan outlines policy related to parking, which states:

Parking will be managed in a manner that is supportive of the function of the Downtown and Harbour Area and also of its pedestrian focus. New parking structures will be located, where possible on the fringe of the Downtown and Harbour Area, and will be designed to complement the historic character, and the

neighbouring buildings and adjacent streetscapes or walkways through design, massing and streetscape features. New surface parking lots will be discouraged.

The proposed development includes underground parking accessed from Barrie Street and prioritizes pedestrian experiences. The reduced vertical clearance to 3.8 metres in the loading space will not impact overall parking functionality, as the loading space is accessed separately from the entrance to the underground parking garage. Aside from the doorway height to the loading space, the loading space is compliant with zoning, and is anticipated to function sufficiently for the types of vehicles that will be permitted to access the space. Waste collection is to be conducted privately, therefore the applicant will be able to exercise reasonable control over vehicles entering this space.

Section 10A.2.18 of the OP outlines policy direction for parking structures in the Downtown and Harbour Area:

Above and below grade parking structures are permitted in the Downtown and Harbour Area but parking at grade is generally prohibited to encourage uses that animate the street to be built at ground level. It is the intent of this Plan that parking structures are designed in such a manner that the pedestrian function, streetscape facade, and views of the Downtown and Harbour Area are not impaired, in accordance with the Downtown and Harbour Area Architectural Guidelines, and other policies of this Plan.

The development will provide one level of underground parking with access from Barrie Street, preserving the active Queen Street frontage and the residential character of Colborne Street. No surface parking is proposed. The minor variance will reduce the at-grade, internal loading space entrance height to 3.8 metres without affecting underground parking.

Section 10A.3 provides policies regarding infrastructure, transportation, parking and servicing. Section 10A.3.10 of the OP contains parking strategies for the Downtown and Harbour Area, which states:

- a. *new commercial developments are encouraged to provide parking for their own use, and where feasible, to incorporate underground parking or parking structures as part of the proposal;*
- b. *commercial developments may be permitted to provide parking spaces in proximity to the lot, taking into account walkability, through long term parking agreements if it is not possible to provide on-site parking;*
- c. *commercial developments in, or renovations to, current buildings for commercial use may be exempted from providing parking spaces pursuant to the zoning by-law;*
- d. *residential development, including the conversion of upper storey commercial space to residential use, is required to provide necessary parking in accordance with the zoning by-law, but may be permitted to provide such space within proximity of the lot, through long term parking agreements if it is not possible to provide on-site parking;*
- e. *new developments are encouraged to provide parking on site in either underground space or parking structures; and,*
- f. *in limited circumstances, cash-in-lieu of parking for residential uses may be accepted by Council in accordance with Section 9.5.11 of this Plan, where it is not feasible to provide on-site parking.*

The variance proposed to reduce the entrance to the loading space does not impact the overall provision of residential parking on the site. Parking is being provided in accordance with the provisions set out in Exception Overlay Zone E114, and via cash-in-lieu. The minor variance will not impact the number or configuration of parking spaces.

Based on this review, it is our professional opinion that the proposed variance maintains the general purpose and intent of the Official Plan.

Test #2: Is the general intent and purpose of the Zoning By-law maintained?

The site is currently zoned as Downtown 1 (DT1) in Zoning Schedule 1 of the Kingston Zoning By-law Number 2022- 62, which permits the proposed mixed-use building. The DT1 zone is designed to facilitate a vibrant mix of residential, commercial, and civic uses, supporting the character and vitality of the downtown area. The site is also zoned with an Exception Overlay, being E114, which implements site-specific provisions to facilitate the development as proposed.

The intent of the minimum vertical clearance provision is to ensure seamless access and functionality of a loading space. A minimum vertical clearance is required to ensure that the loading area remains unobstructed, allowing for efficient loading and unloading of vehicles. A reduction in this clearance on the site is acceptable at the entrance to the loading space, as the interior of the loading area complies with the zoning by-law's specifications, and is anticipated to provide sufficient area within the building for the selected vehicle-types anticipated to access the loading space. The requested variance is essential to accommodate the practical needs of the loading space while preserving the overall functionality of the building.

To illustrate compliance with the zoning by-law, Appendix A includes a table detailing the relevant requirements and highlighting the variance needed to permit the proposed variance (applicable cells highlighted in blue). This ensures that all aspects of the development align with the regulations while still allowing for the necessary adjustments to facilitate successful operation. A discussion on the variance follows:

Loading Space Vertical Clearance

Relief is sought to reduce the vertical clearance of the entry into the loading space from 4.2 metres to 3.8 metres. This requested variance is permissible, as the functionality of the loading space will be maintained, with the interior of the internal loading space still complying with the zoning by-law requirement of 4.2 metres. A vertical space of 0.5 metres is provided above the 3.8 metre entrance within the loading bay, providing a total of 4.3 metres in vertical clearance within the building. By allowing a reduced clearance of 3.8 metres, the proposed structural design of the building remains intact while still serving its intended purpose effectively. This adjustment will not alter the massing or design of the building, thereby preserving the intent and purpose of other relevant and applicable zoning provisions.

Based on this review, it is our professional opinion that the proposed variance maintains the general purpose and intent of the zoning by-law.

Test #3: Is the variance minor?

The assessment of whether an application qualifies as minor is not based on a strict mathematical formula; instead, it focuses on evaluating the degree of potential impacts arising from the minor variance request. The requested variance is site-specific, which helps to minimize any effects on the surrounding neighborhood. The variance will not lead to adverse impacts on nearby land uses. The variance represents a minor adjustment that will not negatively impact functionality or safety, while maintaining integrity of the design for the building.

Based on this review, it is our professional opinion that the proposed variances are minor in nature.

Test #4: Is the variance desirable for the appropriate development or use of the lands in question?

The requested variance to reduce the minimum vertical clearance in the loading space from 4.2 metres to 3.8 metres will allow the loading space to remain functional without compromising the design or structural integrity of the building as currently designed. The proposed development is highly desirable, as it will enhance the City's housing stock in a designated growth area. Furthermore, the variance aligns with the goals of the Official Plan and Zoning By-law by supporting functional infrastructure while maintaining their general intent of all relevant policy and regulatory framework applicable to the development.

Based on this review, it is our professional opinion that the variance is desirable for the appropriate development of the site in question.

Conclusion

The applicant is seeking a minor variance from Section 7.5.5 of the Kingston Zoning By-Law 2022-62 to reduce the minimum vertical clearance of the loading space from 4.2 metres to 3.8 metres to facilitate the development of the proposed 15-storey mixed-use residential building. This adjustment is essential to preserve the building's structural

integrity, as raising the entrance clearance to 4.2 metres would compromise the slab-to-slab ratio, and therefore elements of structural design, of the building as it is currently proposed.

The variance provides opportunity for the overall design as proposed to remain unchanged. The interior of the loading space will be provided with vertical clearance in excess of the 4.2-metre zoning by-law requirement, ensuring effective loading operations in the main loading area beyond the entrance. The applicant, being the operator of the building, is aware of the vehicular restrictions that must be imposed on the site as a result of the variance. The proposed 3.8-metre entrance clearance will allow for efficient loading while maintaining the building's external appearance from the street. This minor variance does not impact overall use or design of the proposed development, as it applies solely to the entrance portion of the garage, which is constrained by structural elements of the building design.

Respectfully submitted,



Elysia Ackroyd, MCIP RPP
Senior Planner
Fotenn Planning + Design



Elena Karakas, BURPI
Planner
Fotenn Planning + Design

APPENDIX

Zoning matrix for Exception Overlay E114 of Kingston Zoning By-law Number 2022-62

PROVISION	REQUIRED/PERMITTED	PROPOSED	SITE SPECIFIC COMPLIANCE
	<ul style="list-style-type: none"> • APARTMENT BUILDING • DWELLING UNIT IN A MIXED USE BUILDING • NON-RESIDENTIAL ANIMAL CARE • AUTOMOBILE SALES ESTABLISHMENT • BANQUET HALL BUILDING • SUPPLY STORE • COMMERCIAL PARKING LOT • COMMUNITY CENTRE • CLUB • CREATIVITY CENTRE • DAY CARE CENTRE • DEPARTMENT STORE • ENTERTAINMENT ESTABLISHMENT • FINANCIAL INSTITUTION • FITNESS CENTRE • GAS STATION • GROCERY STORE • FUNERAL ESTABLISHMENT • HOTEL • LAUNDRY STORE • LIBRARY • MUSEUM • OFFICE • PERSONAL SERVICE SHOP • PLACE OF WORSHIP • PUBLIC 	<p>MIXED-USE BUILDING</p>	<p>YES</p>

	<p>MARKET</p> <ul style="list-style-type: none"> • RECREATION FACILITY • REPAIR SHOP • RESTAURANT • RETAIL STORE • TRAINING FACILITY • TRANSPORTATION DEPOT • TRANSPORTATION TERMINAL • WELLNESS CLINIC 		
MIN. LOT AREA	NIL	N/A	N/A
MIN. LOT FRONTAGE	NIL	N/A	N/A
MIN. HEIGHT	2 STOREYS, NOT LESS THAN 8.5m	15 STOREYS, 48.75 m, 51.7 m (ELEVATOR OVERRUN)	YES
MAX. HEIGHT	SEE FIGURE E114, WITH A MAXIMUM 2% VARIANCE ON NOTED DIMENSIONS PERMITTED	15 STOREYS, 48.75 m, 51.7 m (ELEVATOR OVERRUN)	YES
BUILDING SETBACKS	SEE FIGURE E114, WITH A MAXIMUM 5% VARIANCE ON NOTED DIMENSIONS PERMITTED	0 m (BARRIE ST.) 3 m – 4.02 m (QUEEN ST.) 1.8m – 3.8m (COLBOURNE ST) 0 – 2.66m (INTERIOR)	YES
MIN. LANDSCAPE OPEN SPACE	NIL	N/A	N/A
MIN. LOT COVERAGE	50%	78%	YES
MAX. LOT COVERAGE	100%	78%	YES
MAXIMUM NUMBER OF DWELLING UNITS	192	178	YES
APPLICABLE ANGULAR PLANE	MAXIMUM BUILDING HEIGHTS ARE SPECIFIED IN FIGURE E114, WITH A MAXIMUM 2% VARIANCE ON NOTED DIMENSIONS PERMITTED. BUILDING SETBACKS ARE SHOWN ON FIGURE		YES

	E114, WITH A MAXIMUM 5% VARIANCE ON NOTED DIMENSIONS PERMITTED.		
LOADING SPACE	1 SPACE REQUIRED: 9.0 X 3.5m X 4.2m VERTICAL CLEARANCE	1 (4.2M VERTICAL INTERIOR CLEARANCE, 3.8M VERTICAL CLEARANCE AT ENTRANCE)	NO
PARKING	MINIMUM REQUIRED NUMBER OF PARKING SPACES IS 0.18 PARKING SPACES PER DWELLING UNIT. THERE IS NO REQUIREMENT FOR CAR SHARE SPACES OR VISITOR SPACES.	25 SPACES (0.14 SPACES / UNIT)	YES, INCLUDING CASH-IN-LIEU FOR REDUCED SPACES
DRIVEWAY, PARKING SPACES, AND DRIVE AISLE DIMENSIONS	- MIN. VERTICAL CLEARANCE FOR ALL SPACES EXCEPT ACCESSIBLE SPACES: 2.1 M - IF ACCESSED BY DRIVE AISLE W/ DEAD END, 1.5 M DEEP TURNAROUND AREA MUST BE PROVIDED W/ 1 M RADIUS B/W PARKING SPACES AND TURNAROUND AREA	2.9m (PARKING SPACES) 2.44m (RAMP DRIVEWAY)	YES
	PERPENDICULAR TO DRIVE AISLE: 2.6m X 5.5m X 6.0m DRIVE AISLE	2.7 m x 5.5 m (REGULAR) 2.4 m x 4.8m (SHORT)	YES
ADDITIONAL DRIVEWAY AND PARKING PROVISIONS FOR MULTI-UNIT RESIDENTIAL IN URBAN AREA	WHERE THE SIDE OF A PARKING SPACE IS OBSTRUCTED BY PART OF A FIXED OBJECT (E.G. WALL, COLUMN, BOLLARD, FENCE, PIPE) WITHIN 0.3m OF THE PARKING SPACE, MEASURED AT RIGHT ANGLES, AND > 1m FROM FRONT OR REAR OF PARKING SPACE, THE MIN. WIDTH OF THE SPACE MUST BE INCREASED BY 0.3m FOR EACH SIDE THAT IS OBSTRUCTED;		YES

	MAX. WIDTH OF DRIVEWAY W/I REQUIRED FRONT OR EXTERIOR SETBACK = 6.7 m		YES
	SPACES MUST BE LOCATED IN PERMITTED PRIVATE GARAGE, PARKING STRUCTURE, DRIVEWAY OR PARKING LOT IN REAR OR INTERIOR YARD, EXCEPT VISITOR SPACES MAY BE LOCATED IN THE FRONT OR EXTERIOR YARD PROVIDED SPACE NOT CLOSER THAN 3m TO ANY LOT LINE/NOT CLOSER THAN 7.5m TO ANY STREET LINE	PARKING IS LOCATED BELOW GRADE	YES
	DESPITE 7.4.1., MAX. 10% OF SPACES ON A LOT, EXCLUDING ACCESSIBLE SPACES, VISITOR SPACES AND CAR-SHARE SPACES, ARE PERMITTED AS SPACES FOR SMALL CARS: MIN. 4.8m X 2.4m, W/ SIGNAGE THAT IDENTIFIES "SMALL CAR PARKING SPACE"	1 SHORT STALL (5%)	YES
ACCESSIBLE PARKING	7 ACCESSIBLE SPACES (3 TYPE A AND 4 TYPE B)	7 ACCESSIBLE SPACES (3 TYPE A AND 4 TYPE B)	YES
ACCESSIBLE PARKING DIMENSIONS	TYPE A: 3.4m WIDE TYPE B: 2.7m WIDE VERTICAL CLEARANCE: 2.1m	TYPE A: 3.4M WIDE TYPE B: 2.7M WIDE VERTICAL CLEARANCE: 2.9M (RAMP DRIVEWAY 2.44M VERTICAL CLEARANCE)	YES

BIKE PARKING PROVISIONS	RESIDENTIAL: LT SPACES: 0.9 SPACES PER DWELLING UNIT = 161 SPACES	LT: 162 SPACES	YES
	ST SPACES: 0.1 SPACES PER DWELLING UNIT = 18 SPACES	ST: 20 SPACES	YES
	COMMERCIAL: OFFICE, RETAIL, PERSONAL SERVICE SHOP, RESTAURANT, WELLNESS CLINIC: - LT: 0.2 SPACES PER 100 sq m GROSS FLOOR AREA - ST: 3 PLUS 0.2 PER 100 sq m GROSS FLOOR AREA @144 m ² =0 LT =3 ST	ST: 4 SPACES	YES
	HORIZONTAL BIKE PARKING SPACE MINIMUM DIMENSIONS: 0.4m WIDTH X 1.6m HORIZONTAL LENGTH; MIN. 1.2m VERTICAL CLEARANCE	0.4 m X 1.6 m	YES
	VERTICAL SPACE MIN. DIMENSIONS: 0.6m WIDTH X 1.8m VERTICAL LENGTH; MIN. 1.2m WIDE ACCESS AISLE	N/A	N/A
	STACKED BIKE PARKING SPACE MINIMUM DIMENSIONS: 0.4m WIDTH X 1.6m HORIZONTAL LENGTH; MIN. 1.2m VERTICAL CLEARANCE	0.4 m X 1.6 m	YES
	ENHANCED BIKE PARKING FOR MULTI-RESIDENTIAL:		

	MIN. 10% LT BIKE SPACES MUST BE PROVIDED AS LARGER HORIZONTAL BIKE SPACES; MIN. 1.0m WIDE X 2.6m HORIZONTAL LENGTH; MIN. VERTICAL CLEARANCE OF 1.9m AND MUST BE PROVIDED WITH ACCESS TO ONE STANDARD ELECTRICAL OUTLET.	18 SPACES PROVIDED AS PART OF SECURE BIKE LOCKER SPACES.	YES
	MIN. 10% LT BIKE SPACES MUST BE PROVIDED IN SECURE BIKE LOCKERS THAT ARE PROVIDED WITH INDIVIDUAL, SECURE ENCLOSURES WHERE A PRIVATE LOCK CAN BE AFFIXED AND MUST INCLUDE A STANDARD ELECTRICAL OUTLET	18 SPACES	YES
	MIN. 10% LT BIKE SPACES PROVIDED IN A SHARED BIKE ROOM MUST BE PROVIDED WITH ACCESS TO ONE STANDARD ELECTRICAL OUTLET PER LT BIKE SPACE;		
	WHERE MORE THAN 25 LT BIKE SPACES REQUIRED, A BIKE MAINTENANCE AREA MUST BE PROVIDED THAT IS A SUFFICIENT SIZE TO ACCOMMODATE REPAIRS AND MAINTENANCE OF BIKES, AND MUST INCLUDE A BIKE PUMP, BIKE REPAIR STAND AND A BENCH;	LOCATED IN BASEMENT	YES
AMENITY AREA	6 SQUARE METRES PER DWELLING UNIT	6 SQM PER DWELLING UNIT (1,152 SQM TOTAL)	YES
			YES

	THE USE OF THE FOURTH FLOOR ROOF AS COMMUNAL OUTDOOR AMENITY AREA IS PROHIBITED, BUT MAY BE USED AS A PRIVATE AMENITY AREA EXTENDING A MAXIMUM OF 2 METRES FROM THE TOWER.		
	ANY FURNITURE OR STRUCTURES WITHIN AN OUTDOOR PATIO WILL BE SET BACK A MINIMUM OF 0.5 METRES FROM THE STREET LINE;		YES
ANGULAR PLANES	MAXIMUM BUILDING HEIGHTS ARE SPECIFIED IN FIGURE E114, WITH A MAXIMUM 2% VARIANCE ON NOTED DIMENSIONS PERMITTED. BUILDING SETBACKS ARE SHOWN ON FIGURE E114, WITH A MAXIMUM 5% VARIANCE ON NOTED DIMENSIONS PERMITTED.		YES
BUILD-TO-PLANE	MAXIMUM BUILDING HEIGHTS ARE SPECIFIED IN FIGURE E114, WITH A MAXIMUM 2% VARIANCE ON NOTED DIMENSIONS PERMITTED. BUILDING SETBACKS ARE SHOWN ON FIGURE E114, WITH A MAXIMUM 5% VARIANCE ON NOTED DIMENSIONS PERMITTED.		
PROJECTIONS ABOVE MAX. HEIGHT	THE HEIGHT AND COVERAGE PROVISIONS FOR THE MECHANICAL PENTHOUSE AND SERVICE EQUIPMENT PENTHOUSE, ELEVATOR OR STAIRWAY PENTHOUSE, AND	PENTHOUSE & INDOOR AMENITY HEIGHT 3.55M (48.75 M), ELEVATOR OVERRUN HEIGHT 6.5M (51.7 M) PENTHOUSE & INDOOR AMENITY OCCUPIES 30% OF THE OVERALL ROOF AREA AND 57.75% OF THE ROOF	YES (HEIGHT) NO (COVERAGE)

	<p>ENCLOSED BUILDING COMPONENTS PROVIDING TENANTS WITH ACCESS TO THE ROOFTOP AMENITY AREAS IS TO BE CONSTRUCTED IN ACCORDANCE WITH FIGURE E114</p>	<p>AREA ON WHICH IT IS LOCATED</p>	
	<p>MAXIMUM BUILDING HEIGHTS ARE SPECIFIED IN FIGURE E114, WITH A MAXIMUM 2% VARIANCE ON NOTED DIMENSIONS PERMITTED. BUILDING SETBACKS ARE SHOWN ON FIGURE E114, WITH A MAXIMUM 5% VARIANCE ON NOTED DIMENSIONS PERMITTED.</p>		<p>YES</p>
	<p>FOLLOWING MAY EXCEED MAX. HEIGHT BY MAX. 3.5m: 1. STATIC RENEWABLE ENERGY DEVICE (E.G. SOLAR PANEL OR OTHER SIMILAR DEVICES) THAT CAPTURE OR CONSERVE ENERGY WITHOUT VISIBLE MOTION OR EMISSIONS 2. ARCHITECTURAL COMPONENTS SUPPORTING GREEN ROOFS, A ROOF-TOP GARDEN, OR OTHER SIMILAR ROOFTOP SUSTAINABILITY ELEMENTS; 3. EXTERIOR RESIDENTIAL AMENITY AREAS, ROOFTOP TERRACES AND ALL ASSOCIATED COMPONENTS SUCH AS RAILINGS, GUARDS AND FURNITURE</p>	<p>N/A</p>	<p>N/A</p>

WALKWAYS	<ul style="list-style-type: none">- MIN. WIDTH: 1.2m- WHERE DWELLING UNITS SHARE COMMON MAIN EXTERIOR ENTRANCE, WALKWAY MUST BE PROVIDED TO THE COMMON MAIN EXTERIOR ENTRANCE;- MUST BE SEPARATELY DELINEATED AND MEASURED DISTINCTLY FROM REQUIRED DRIVEWAY/PARKING SPACE. VEHICLES MUST NOT PARK ON ANY PART OF WALKWAY;-WALKWAY MUST BE UNOBSTRUCTED UP TO A MIN. HEIGHT OF 2.1m ABOVE GRADE.		YES
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Mr. Christian Petersen
283 Queen LP
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Arcadis Professional Services
(Canada) Inc.
55 St. Clair Avenue West
7th Floor
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Phone: 416 596 1930
www.arcadis.com

Date: September 30, 2024

Our Ref: 134944

Subject: 283 Queen Street – Loading space overhead clearance minor variance

Dear Mr. Petersen,

Arcadis was retained by 283 Queen LP (“the proponent”) to prepare transportation analysis in support of a 15-storey residential apartment to be located at 275-283 Queen Street in the City of Kingston. As described in the report 283 Queen Street, Kingston – Transportation Impact Study Report (Arcadis; June 19, 2024), the proposed development would contain 178 dwelling units and 132 m² gross floor area (GFA) of commercial space at grade. Primary vehicle access to the at-grade loading and a total of 25 underground parking spaces is provided via Barrie Street.

Whereas the Kingston Zoning By-law Number 2022-62 requires loading spaces to have minimum horizontal dimensions of 3.5 metres by 9 metres and a vertical clearance of 4.2 metres¹, we understand that the proponent is seeking a minor variance to reduce the required vertical clearance to 3.8 metres. Whereas we understand that private waste collection will be utilized and indoor collection operations are not anticipated, to determine if this variance is appropriate a review of loading space requirements in municipalities across Ontario, and a review of the dimensions of typical vehicles likely to use Kingston standard loading spaces, was conducted. Our findings are summarized in this letter.

It must first be noted that, primarily due to the length requirements of loading spaces, the typical vehicle which can be accommodated by a Kingston standard loading space is less likely to be a large truck [e.g., Transportation Association of Canada (TAC) Medium Single Unit (MSU), or typical waste collection vehicle – all of which routinely exceed 10 metres in length], and more likely to be a Mercedes Sprinter or similar, TAC Light Single Unit (LSU), U-Haul rental truck / van, or similar passenger car-scaled vehicle rarely exceeding 6 metres in length or 3.5 metres in height (i.e., one typically requiring only a class G license). With this in mind, a review of zoning by-law loading space requirements for vehicles in this class revealed the following precedents:

¹ The Downtown & Harbour Zoning By-law No. 96-259, under which the application was initially made, required minimum horizontal dimensions of 3.6 metres by 9 metres and a vertical clearance of 4.2 metres. However, we understand that the site is governed by Zoning By-law Number 2022-62 following approval by the Ontario Land Tribunal.

Mr. Christian Petersen
283 Queen LP
September 30, 2024

- City of Windsor Zoning By-law 8600
 - *“Each loading space shall have a minimum width of 3.0 m, minimum length of 7.50 m, and **minimum height clearance of 3.50 m throughout its length and width.**”*
- City of Toronto Zoning By-law 569-2013
 - *“a Type “C” loading space must have a:
 - (i) *minimum length of 6.0 metres;*
 - (ii) *minimum width of 3.5 metres; and*
 - (iii) **minimum vertical clearance of 3.0 metres.**”*

Based on these precedents, a variance in overhead clearance requirement from 4.2 metres to 3.8 metres, as requested by the proponent, is supportable due to its use in other municipalities in Ontario.

To determine if the requested variance is supportable from an operational perspective, a review of overhead clearance requirements for the typical vehicles expected to use the loading space at 283 Queen Street was conducted. These vehicles include:

- Mercedes Sprinter Cargo Van 4500 (High Roof);
 - 2.74 metres.
- Ford Transit Cargo Van Long-EL;
 - 2.80 metres.
- U-Haul 26^{ft} Moving Truck;
 - 3.66 metres.
- Morgan Olson Route Star MT55 (typical of vehicles used by UPS, FedEx, Purolator, Canada Post, etc.);
 - 3.15 metres.

Based on the specifications of these vehicles, a variance in overhead clearance requirement from 4.2 metres to 3.8 metres, as requested by the proponent, is supportable due to the wide variety of off-the-lot, commonly used vehicles which would be able to access the loading area without anticipated clearance conflicts.

Mr. Christian Petersen
283 Queen LP
September 30, 2024

Whereas we understand that private waste collection will be utilized and indoor collection operations are not anticipated, a review of loading space requirements in municipalities across Ontario for the vehicles contemplated by the City of Kingston standard loading space, and a review of the dimensions of typical vehicles likely to use a Kingston standard loading space, was conducted. Based on this review, a 3.8 metre (or lower) clearance requirement is supported by its use in other municipalities and its ability to accommodate a wide variety of vehicles without anticipated clearance conflicts.

Therefore, we recommend that the requested variance be granted.

Sincerely,
Arcadis Professional Services (Canada) Inc.



Andrae Griffith
Associate – Manager, Transportation Systems

Email: andrae.griffith@arcadis.com
Direct Line: +1 416 596 1390 ext 61450

By-Law Number 2023-221

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Zone Change to Partially Remove Legacy Exception L448 and Introduce Exception E114 (275 and 283 Queen Street) and Introduce Exception E115 (364 Barrie Street)

ORDERED BY THE ONTARIO LAND TRIBUNAL: Effective November 22, 2023

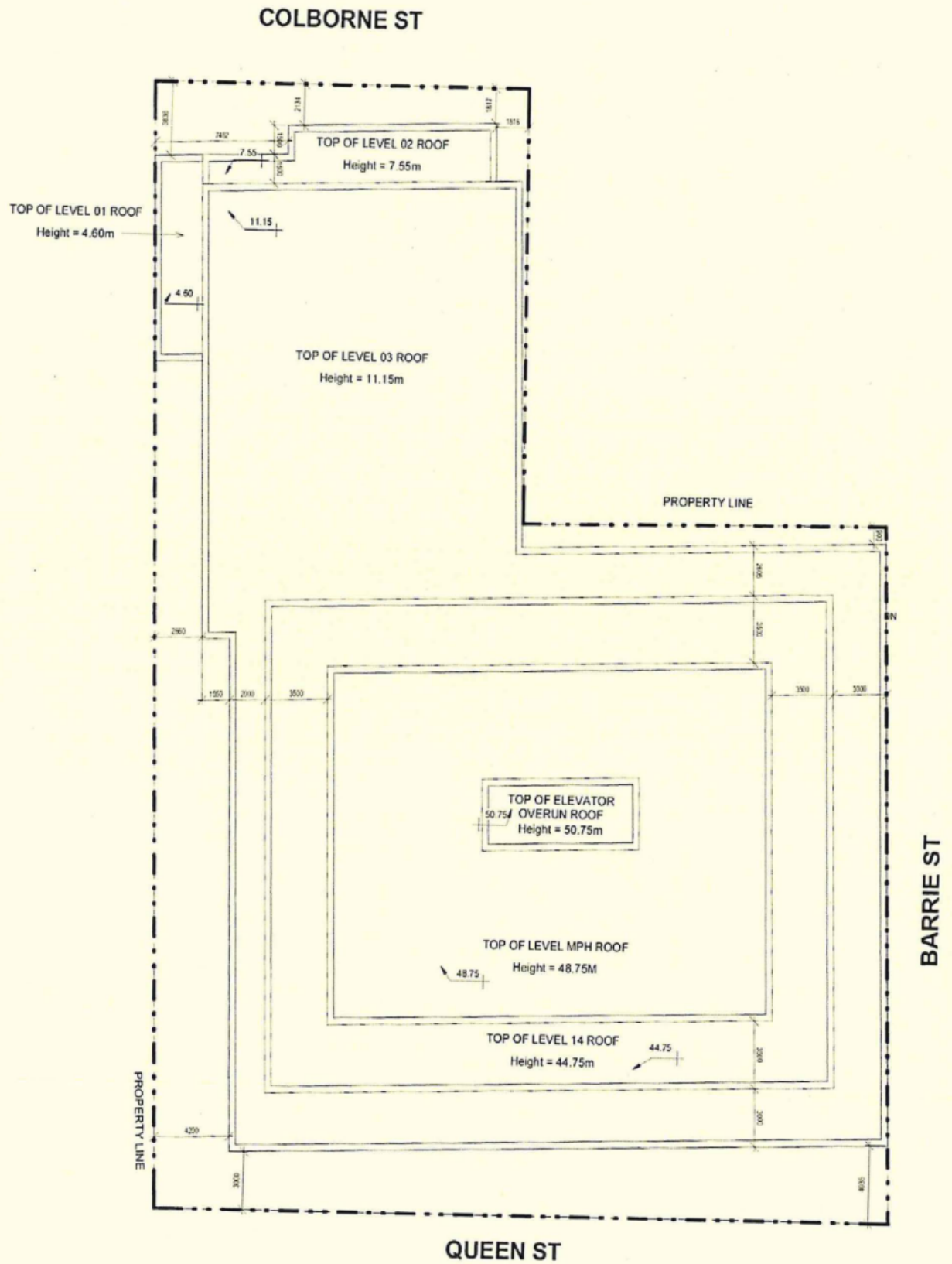
1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-law Number 2022-62”, is amended as follows:
 - 1.1. Schedule E – Exception Overlay is amended by removing the Legacy Exception ‘L448’ from the area shown on Schedule “A” attached to and forming part of this By-Law;
 - 1.2. Schedule E – Exception Overlay is amended by adding Exceptions ‘E114’ and ‘E115’, as shown on Schedule “A” attached to and forming part of this By-Law;
 - 1.3. Schedule F – Holding Overlay is amended by adding Holding Overlay Number ‘H223’, as shown on Schedule “B” attached to and forming part of this By-Law;
 - 1.4. By adding the following Exception Number E114 in Section 21 – Exceptions, as follows:

“E114. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

 - (a) The maximum building heights are specified on Figure E114, with a maximum 2% variance on noted dimensions permitted;
 - (b) The building setbacks are shown on Figure E114, with a maximum 5% variance on noted dimensions permitted;
 - (c) The maximum tower floorplate is 800 square metres;
 - (d) The height and coverage provisions for the mechanical penthouse and service equipment penthouse, elevator or stairway penthouse, and enclosed building components providing tenants with access to the rooftop amenity areas is to be constructed in accordance with Figure E114;
 - (e) The maximum number of dwelling units is 192;

OLT-22-004553

- (f) A minimum of 6 square metres of amenity area must be provided per dwelling unit;
- (g) The use of the fourth floor roof as communal outdoor amenity area is prohibited, but may be used as a private amenity area extending a maximum of 2 metres from the tower;
- (h) Any furniture or structures within an outdoor patio will be set back a minimum of 0.5 metres from the street line;
- (i) The required minimum number of parking spaces is 0.18 parking spaces per dwelling unit. There is no requirement for car share spaces or visitor spaces;
- (j) The minimum drive aisle width for the underground parking garage is 6 metres where the parking space is perpendicular to the drive aisle;
- (k) Horizontal bike parking must have minimum dimensions of 0.4 metres wide by 1.6 metres long, with a minimum vertical clearance of 1.2 metres;
- (l) Stacked bike parking must have minimum dimensions of 0.4 metres wide by 1.6 metres horizontal length, with a minimum vertical clearance of 1.2 metres; and
- (m) Figure E114.



1.5. By adding the following Exception Number E115 in Section 21 – Exceptions, as follows:

“E115. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The minimum lot area is 120 square metres; and
- (b) The minimum frontage is 5.3 metres.”

1.6. By adding the following Holding Overlay Number H223 in Section 22 – Holding Conditions, as follows:

“H223. Prior to the removal of the Holding Overlay, the following conditions must be addressed to the satisfaction of the City:

- (a) All necessary studies, as determined by the City, have been completed and accepted by the City. Required studies include, but may not be limited to, an updated traffic impact study, servicing study, stormwater management study, pedestrian level wind study, and detailed noise study; and
- (b) The City is satisfied that there is adequate servicing capacity for the proposed development”

ORDERED by the Ontario Land Tribunal dated , November 22, 2023 for Case Number OLT-22-004553

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: April 09, 2024

CASE NO(S):

OLT-22-004553

PROCEEDING COMMENCED UNDER section 34(11) of the *Planning Act, R.S.O. 1990, c. P. 13, as amended.*

Appellant	Podium Development Management Corp.
Owner	Keilty International
Subject:	Application to amend the Zoning By-law – neglect to make a decision
Description:	Proposing to redevelop the subject lands with a mixed-use residential and commercial building ranging in height from three to 16-storeys
Reference Number:	D14-012-2021
Property Address:	275 and 283 Queen Street and 364 Barrie Street
Municipality/UT:	Kingston/Kingston
OLT Case No:	OLT-22-004553
OLT Lead Case No:	OLT-22-004553
OLT Case Name:	Podium Development Management Corp v. Kingston (City)

Heard: November 22, 2023 by video hearing

APPEARANCES:

Parties

Counsel

Podium Development Management Corp. ("Appellant")

J. Savini
N. Chooback

City of Kingston (the "City")

S. Putnam
T. Fleming *in absentia*

Friends of Queen Street Kingston Inc. ("Friends")

D. Donnelly
M. Le Bouedec

**MEMORANDUM OF ORAL DECISION DELIVERED BY A. SAUVE ON NOVEMBER
22, 2023 AND ORDER OF THE TRIBUNAL**

[Link to Final Order](#)

INTRODUCTION

[1] This Settlement Hearing is the result of much work and cooperation between the parties negating the need for the 10-day Hearing that had been set. As a result, the settlement proposal before the Tribunal is somewhat different than the original application. The differences include a reduction to the height of the building and the removal of balconies.

[2] This appeal was brought pursuant to section 34(11) of the *Planning Act* ("Act") by the Appellant for a property municipally addressed as 275-283 Queen Street and 364 Barrie Street ("Subject Property") located in the City of Kingston, due to the failure of Council to make a decision within the legislated timeframe.

[3] The Subject Property has a frontage of approximately 41 meters ("m") on Queen Street, 36 m of frontage on Barrie Street, 20 m of frontage on Colborne Street and a total area of 1,956 square meters ("m²"). The property contains an existing four storey office building including a parking lot with vehicular access provided from both Barrie Street and Colborne Street.

[4] On October 22, 2021, Zone Change application D14-012-2021 submitted by the Appellant was deemed to be complete by the City. On April 21, 2022, a public meeting was held by the City. The Appellant commenced this appeal on October 11, 2022 based on the City's non-decision with respect to the application.

[5] The purpose of this zone change application is to permit the development of a mixed-use residential and commercial building with a maximum height of 16 storeys

including 192 residential units, 228 m² of commercial floor area and with 36 on-site parking spaces and 200 bicycle parking spaces provided.

[6] The site-specific Zoning By-law Amendment being proposed are summarized as follows:

- a. The Legacy and Exception Zone L448 is proposed to be removed from Schedule E – Exception Overlay, of the Zoning By-law 2022-62.
- b. Schedule E – Exception Overlay is further amended by adding a height map that depicts the proposed built form of the Settlement Design.
- c. Site-specific performance standards are proposed, including reference to the height and setbacks in the height map provided, a reduced amenity requirement, reduced parking dimensions and provisions, specific maximum tower floor plate size, specific dimensions for bicycle parking spaces, specific setbacks to street furniture, prohibited access to the fourth-floor rooftop amenity area, and a maximum unit count.

[7] A separate exception zone is proposed to apply to the lands associated with 364 Barrie Street, which is the subject of a consent application that the Tribunal was informed will result in an exchange of land between the Subject Site and 364 Barrie Street. This exception zone pertains to the lot size and frontage of 364 Barrie Street.

[8] A holding overlay, represented by H223 is also proposed as part of the Zoning By-law Amendment. The holding overlay prohibits the development from moving forward without the City's receipt and acceptance of supporting studies that include an updated traffic impact study, servicing study, stormwater management study, pedestrian level wind study, and detailed noise study. The holding overlay also requires that the City be satisfied that the proposed development can be adequately serviced.

LEGISLATIVE TEST

[9] In making a decision on the ZBA before it, the Tribunal must be satisfied that it is consistent with the Provincial Policy Statement (“PPS”) and that it conforms to the City of Kingston Official Plan (“OP”). In addition, the Tribunal must have regard to the matters of provincial interest in section 2 of the *Planning Act* and in general, regard for the related decisions of the municipality, and be satisfied that the proposed ZBA represents good planning and is in the public interest.

PARTICIPANT WITHDRAWAL

[10] Prior to this Settlement Hearing the Tribunal was informed that Frontenac Heritage Foundation withdrew their Participant status. In total, there are now 48 Participant’s for this matter.

HEARING

[11] The Tribunal marked the following as Exhibit’s:

Exhibit 1: Affidavit of Service (marked as Exhibit at Case Management Conference on March 20, 2023).

Exhibit 2: Affidavit of Mike Keene.

Exhibit 3: Exhibit Book.

[12] The only witness called was Mike Keene who was qualified by the Tribunal to provide expert opinion evidence in land use planning. Mr. Keene provided evidence to the Tribunal that the proposed ZBA is consistent with the PPS and conforms to the OP. He opined that the proposed 14-storey development represents an appropriate form of redevelopment and intensification within the Urban Boundary as set out in the OP, that will achieve compatibility with the existing and surrounding uses in terms of form and

function. It was his opinion that the proposed Zoning By-law Amendment constitutes good land use planning and is in the public interest.

[13] Mr. Keene informed the Tribunal that the following studies and reports were prepared in support of the proposed development and Settlement Design:

- a. Heritage Impact Statement prepared by Stevens Burgess Architects (SBA) Ltd. dated September 2, 2021.
- b. Heritage Impact Statement Addendum prepared by SBA dated March 3, 2022.
- c. Planning Memo prepared by Fotenn Planning + Design dated April 4, 2023.
- d. Architectural Floorplans and Elevations prepared by Enform Architects Inc. and Lemay dated April 3, 2023.
- e. Stage 1 Archaeological Assessment prepared by Abacus Archaeological Services dated July 30, 2021.
- f. Urban Design Review Memo and Shadow Analysis prepared by Fotenn Planning + Design dated April 4, 2023
- g. Planning Report prepared by Fotenn Planning + Design dated September 2, 2021 (attached hereto as Exhibit "P").
- h. Preliminary Site Servicing and Stormwater Management Report prepared by Forefront Engineering dated August 25, 2021.
- i. Transportation Impact Study prepared by IBI Group dated August 30, 2021.
- j. Architectural Drawings Package prepared by Enform and Lemay dated September 2, 2021.

- k. Architectural Elevations prepared by Lemay dated September 2, 2021.
- l. Civil Engineering Drawings prepared by Forefront Engineering dated August 25, 2021.
- m. Phase One Environmental Site Assessment prepared by G2S Consulting Inc. dated August 21, 2021.
- n. Qualitative Pedestrian Level Wind Assessment prepared by Gradient Wind dated August 24, 2021.
- o. Roadway Traffic Noise Feasibility Assessment prepared by Gradient Wind dated August 25, 2021.
- p. Tree Inventory Study prepared by LGL Limited dated August 30, 2021.
- q. Tree Preservation and Removals Plan prepared by LGL Limited dated August 30, 2021.
- r. Urban Design Brief prepared by Fotenn Planning + Design dated September 2, 2021.
- s. Heritage Impact Statement Addendum #2 prepared by SBA dated April 4, 2023.

[14] The PPS encourages efficient use of land and infrastructure, identifying settlement areas to be the focus of growth and development, protection of heritage resources, and maintaining a housing stock that appropriately addresses demographic and economic diversity of households.

[15] Mr. Keene opined that the proposal being presented does that by intensifying the currently underutilized properties which are presently designated and zoned for mixed-use development and located within the City's urban boundary. The development will result in a mix of unit types and affordability with commercial and employment opportunities provided by the at-grade commercial space. The proximity of the Subject Site to commercial uses, community services, educational institutions, and transit, support the proposed development of the Subject Site.

[16] Also, Section 1.1.3.1 of the PPS identifies settlement areas as the focus for growth and development. The subject site is located within the City's urban boundary and is therefore located within a settlement area.

[17] Mr. Keene went on to provide evidence on how the proposed development also is consistent with sections 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.4, 1.6, 1.7, 1.8, 2 and 3 of the PPS.

[18] In summary, it is Mr. Keene's opinion that the proposed ZBA is suitable for the area context, is consistent with the PPS and is appropriate for the site and surrounding context. The Tribunal concurs with Mr. Keene.

[19] The OP encourages infill and intensification within the Settlement Area Boundary identified as the Urban Boundary on Schedule 2 City Structure of the OP.

[20] Schedule 2 City Structure designates the property as being within a Housing District. Section 2.2.5 of the Official Plan states:

Housing Districts are planned to remain stable in accordance with Section 2.6 of this Plan but will continue to mature and adapt as the City evolves. Re-investment and upgrading will be encouraged through minor infilling and minor development (i.e., that which can integrate compatibility within the prevailing built form standards of height, density and amenity that are generally found in the neighbourhood). Housing Districts will be designated for residential uses of different types, but will also contain areas of open space, community facilities and commercial uses.

[21] Mr. Keene opined that the configuration of the proposal represents a compatible transition from the Central Business District designated lands on the Subject Site to the Residential designated lands to the north. The development will result in re-investment to Queen Street, which is a major arterial road that connects the northerly Inner Harbour neighbourhood and the Central Business District. He further opined that the proposal represents an appropriate redevelopment of the underutilized Subject Site. The intensity of development is supported by the proximity to transit, open spaces, commercial, and institutional uses, which will promote active transportation. The proposal will add vitality to Queen Street, while incorporating built form and architectural features that suit the Barrie Street and Colborne Street frontages.

[22] Section 8 provides policy direction related to urban design. Section 8.5 provides policies for new developments regarding streetscapes and public spaces and Section 8.6 outlines policies that must be addressed by new development. Mr. Keene informed the Tribunal that the redesign from the submitted application resulted in reductions in podium and tower height, increases in setbacks and stepbacks, and minor changes in materiality and shape. Further, the purpose of these changes was to increase the compatibility with the lower intensity development present on Colborne Street, and the adjacent and proximal heritage buildings.

[23] Mr. Keene opined that the change that has since resulted from the Settlement Design further reduces the tower height and does not impact the viability of all other urban design features that have been incorporated into the development. He went on to state that the use of high-quality building materials, appropriate building siting, and vertical articulation that are sympathetic to the surrounding context will ensure the proposed building is aesthetically pleasing and compatible with the surrounding uses and unique streetscapes on each frontage. Mr. Keene also advised that the pedestrian realm is anticipated to be enhanced by the development and impacts to surrounding properties can be sufficiently mitigated.

[24] It was Mr. Keene's expert opinion that the proposed ZBA is suitable to the area context, conforms to the OP and is appropriate for the lands and surrounding context. The Tribunal concurs with Mr.Keene.

PARTICIPANT STATEMENTS

[25] The Tribunal received and reviewed the Participant Statement's from the following people:

1. Melanie Dugan
2. Jamie Swift
3. Amy Kaufman
4. Anne Di Tomaso
5. Anne Lougheed
6. Annette Burfoot
7. Bruce Hill
8. Ceredwyn Hill
9. Christina Avery
10. Daryn Lehoux
11. David McDonald
12. Don and Hee-sook Kerstens
13. Eleanor MacDonald
14. Elias Westlake
15. Elizabeth Vanderpump
16. Gisele Pharand
17. Heather Brechin
18. Huw Lloyd-Ellis
19. Jenny Taylor
20. Jill Bryant
21. Johanne Myles
22. John F. Black
23. Jonathan Rose
24. Kathleen O'Hara
25. Laurel Aziz
26. Leslie Rose
27. Linda Williams
28. Margaret Little
29. Margaret Moore
30. Mark Stoller
31. Mary Huggard
32. Mary Louise Adams
33. Matthew Gventer
34. Michael Anthony Cole-Hamilton
35. Nicholas Laan

36. Ramsey Robinson
37. Rebecca Spaulding
38. Sharon Way Brackenbury
39. Simon Baron
40. Skot Caldwell
41. Steven Maynard
42. Susanne Cliff-Jüngling
43. Tammy Caldwell
44. Tom Stewart
45. Val Hamilton
46. William C. James and Carolyn J. Kirkup
47. Ed Horba
48. Garry Castle

[26] The statements, to summarize, overwhelmingly are against the ZBA generally due to the size of the proposed structure and how it would not “fit” in the neighbourhood. Mr. Keene provided evidence to the Tribunal that the current settlement being proposed takes into account these concerns. He further explained that the changes made in the proposal were as a result of these concerns and that they have been addressed. The Tribunal accepts that the planning concerns raised by the Participants have been addressed in the current proposal.

CONCLUSIONS

[27] The Tribunal accepts the uncontroverted testimony of Mr. Keene and is satisfied that the proposed ZBA is consistent with the PPS and conforms to the OP. The Tribunal has had regard to the matters of provincial interest in section 2 of the Act and is satisfied that the ZBA represent good planning and are in the public interest.

ORDER

[28] **THE TRIBUNAL ORDERS** that the Appeal is allowed in and By-law No. 2022-62, as amended, is hereby further amended as set out in Schedule 1 to this Order. The Tribunal authorizes the municipal clerk of the City of Kingston to assign a number to this By-law for record keeping purposes.

"A. Sauve"

A. SAUVE
MEMBER

Ontario Land Tribunal

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

SCHEDULE 1

OLT Case No.: OLT-22-004553

ONTARIO LAND TRIBUNAL

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant	Podium Development Management Corp.
Owner	Keilty International
Subject:	Application to Amend Zoning By-Law – Neglect to make Decision
Description:	Mixed Use Residential and Commercial Building Ranging in Height from three to 16 Storeys
Reference Number:	D14-012-2021
Property Address:	275 and 283 Queen Street and 364 Barrie Street
Municipality/UT:	Kingston/Kingston
OLT Case No:	OLT-22-004553
OLT Lead Case No:	OLT-22-004553
OLT Case Name:	Podium Development Management Corp v. Kingston (City)

ORDER

THE TRIBUNAL ORDERS THAT:

1. The appeal pursuant to section 34(11) is allowed and the City of Kingston Zoning By-Law Number 2022-62, as amended, is hereby amended in accordance with Attachment "1". The Tribunal authorizes the municipal clerk to format, as may be necessary, and assign a number to this by-law for record keeping purposes.
2. Pursuant to Rule 24.3 of the Tribunal's *Rules of Practice and Procedure*, this Order is effective on November 22, 2023, being the day of the settlement hearing, upon which the proposed Zoning By-Law Amendment was presented and considered by the Tribunal.

ATTACHMENT "1"

ZONING BY-LAW AMENDMENT

By-Law Number 2023-XX

A By-Law to Amend By-Law Number 2022-62, "Kingston Zoning By-Law Number 2022-62" (Zone Change to Partially Remove Legacy Exception L448 and Introduce Exception E114 (275 and 283 Queen Street) and Introduce Exception E115 (364 Barrie Street)

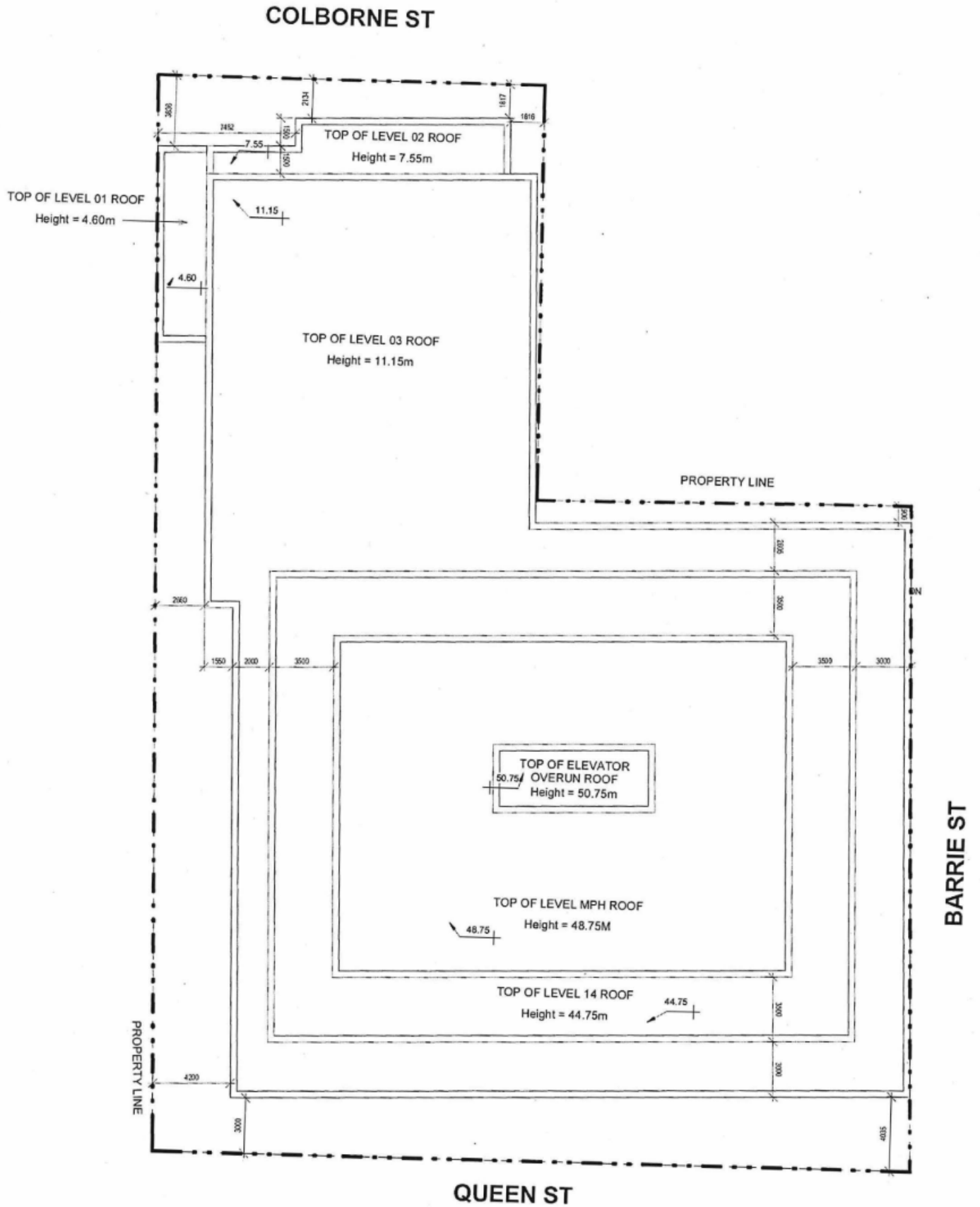
ORDERED BY THE ONTARIO LAND TRIBUNAL:

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 removing the Legacy Exception 'L448' from the area shown on Schedule "A" attached to and forming part of this By-Law;
- 1.2. Schedule E – Exception Overlay is amended by adding Exceptions 'E114' and 'E115', as shown on Schedule "A" attached to and forming part of this By-Law;
- 1.3. Schedule F – Holding Overlay is amended by adding Holding Overlay Number 'H223', as shown on Schedule "B" attached to and forming part of this By-Law;
- 1.4. By adding the following Exception Number E114 in Section 21 – Exceptions, as follows:
 - "E114. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
 - (a) The maximum **building heights** are specified on Figure E114, with a maximum 2% variance on noted dimensions permitted;
 - (b) The **building setbacks** are shown on Figure E114, with a maximum 5% variance on noted dimensions permitted;
 - (c) The maximum tower floorplate is 800 square metres;
 - (d) The **height** and coverage provisions for the **mechanical penthouse** and service equipment penthouse, elevator or stairway penthouse,

and enclosed building components providing tenants with access to the rooftop **amenity areas** is to be constructed in accordance with **Figure E114**;

- (e) The maximum number of **dwelling units** is 192;
- (f) A minimum of 6 square metres of **amenity area** must be provided per **dwelling unit**;
- (g) The use of the fourth floor roof as communal outdoor **amenity area** is prohibited, but may be used as a private **amenity area** extending a maximum of 2 metres from the tower;
- (h) Any furniture or structures within an **outdoor patio** will be set back a minimum of 0.5 metres from the **street line**;
- (i) The required minimum number of **parking spaces** is 0.18 **parking spaces** per **dwelling unit**. There is no requirement for **car share spaces** or **visitor spaces**;
- (j) The minimum **drive aisle** width for the underground parking garage is 6 metres where the **parking space** is perpendicular to the **drive aisle**;
- (k) **Horizontal bike parking** must have minimum dimensions of 0.4 metres wide by 1.6 metres long, with a minimum vertical clearance of 1.2 metres;
- (l) **Stacked bike parking** must have minimum dimensions of 0.4 metres wide by 1.6 metres horizontal length, with a minimum vertical clearance of 1.2 metres; and
- (m) **Figure E114**.



- 1.5. By adding the following Exception Number E115 in Section 21 – Exceptions, as follows:

“**E115.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The minimum **lot area** is 120 square metres; and
- (b) The minimum **frontage** is 5.3 metres.”

- 1.6. By adding the following Holding Overlay Number H223 in Section 22 – Holding Conditions, as follows:

“**H223.** Prior to the removal of the Holding Overlay, the following conditions must be addressed to the satisfaction of the **City**:

- (a) All necessary studies, as determined by the **City**, have been completed and accepted by the **City**. Required studies include, but may not be limited to, an updated traffic impact study, servicing study, stormwater management study, pedestrian level wind study, and detailed noise study; and
- (b) The **City** is satisfied that there is adequate servicing capacity for the proposed development”

ORDERED by the Ontario Land Tribunal dated
OLT-22-004553

, 2023 for Case Number

Janet Jaynes
City Clerk




Bryan Paterson
Mayor



Schedule 'A' to By-Law Number 2023-221

Address: 275 Queen Street
File Number: D14-012-2021

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

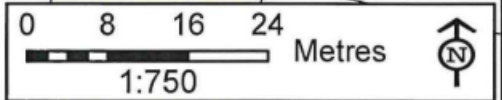
-  Lands to be Added to Overlay as E115
-  Lands to be Added to Overlay as E114
-  Lands to be Removed from Overlay (L448)

Certificate of Authentication

This is Schedule 'A' to By-Law Number 2023-221, OLT Order -22-004553 - By-Law in Effect as of November 22, 2023.



Prepared By: rejones
Date: Mar-24-2023





Schedule 'B' to By-Law Number 2023-221

Kingston Zoning By-Law 2022-62 Schedule F - Holding Overlay

Address: 275 Queen Street File Number: D14-012-2021

[Hatched Box] Lands to Added to Holding Overlay (H223)

Certificate of Authentication

This is Schedule 'B' to By-Law Number 2023-221, OLT Order -22-004553 - By-Law in effect as of November 22, 2023.



Prepared By: rejones Date: Mar 24 2023

