



**City of Kingston
Report to Committee of Adjustment
Report Number COA-25-036**

To: Chair and Members of the Committee of Adjustment
From: Jacob Slevin, Planner
Date of Meeting: March 24, 2025
Application for: Minor Variance and Consent
File Numbers: D13-057-2024 and D10-030-2024
Address: 225 Wilson Street
District: District 7 – Kingscourt-Rideau
Owner: The City of Kingston
Applicant: Habitat for Humanity – Kingston Limestone Region

Council Strategic Plan Alignment:

Theme: 1. Support Housing Affordability

Goal: 1.3 Increase supply of new-build not-for-profit and co-op housing and ensure sustainability and quality of existing stock.

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding applications for minor variance and consent submitted by Habitat for Humanity on behalf of the owner, the City of Kingston for the property located at 225 Wilson Street. The subject lands are a City-owned property which has been determined to be surplus to municipal needs. City Council has approved a recommendation from the Housing and Social Services department that these lands be conveyed to the non-profit group Habitat for Humanity for development of new affordable housing units, in accordance with the Rideau Heights neighbourhood renewal plan.

Habitat for Humanity has proposed to divide the existing parcel at 225 Wilson Street into two separate lots containing two new semi-detached homes which will be made available for

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affordable home ownership. To facilitate the division of the land and the development of the new semi-detached homes, a consent and minor variance application are required.

The purpose of the consent application (File Number (D10-030-2024) is to divide the existing 638.9 square metre landholding into new severed and retained lots with approximately 320 square metres of area. Each new lot would have approximately 8 metres of frontage onto Wilson Street.

The minor variance (File Number D13-057-2024) is requested to permit certain zoning deficiencies created by the new consent process. The proposed new lot areas and frontages will not meet the minimum requirements of the UR7 Zone and therefore require minor variances. Additionally, there are variances required related to the development of the new semi-detached homes related to maximum building depth and maximum width of driveways.

The requested minor variance and consent applications are consistent with the Provincial Planning Statement and conform 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 variances are desirable for the appropriate development or use of the land, building or structure and are minor in nature. The proposed minor variance application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval. The requested consent application has regard to the matters set out in subsection 51(24) of the *Planning Act* and a plan of subdivision is not necessary for the proper and orderly development of the property, as such, is recommended for provisional approval.

Recommendation:

That minor variance application, File Number D13-057-2024 for the property located at 225 Wilson Street to permit zoning deficiencies associated with the severance of the existing parcel and the development of the new semi-detached homes, be approved, as described below:

Retained Lot:

Variance Number 1: Minimum Lot Area

By-Law Number 2022-62: Table 11.8.1.1(b)
Requirement: 330 square metres for a semi-detached house
Proposed: 315 square metres
Variance Requested: 15 square metre

Variance Number 2: Minimum Lot Frontage

By-Law Number 2022-62: Table 11.8.1.2(b)
Requirement: 9 metres for a semi-detached house
Proposed: 7.75 metres
Variance Requested: 1.25 metres

Variance Number 3: Maximum Building Depth

By-Law Number 2022-62: Table 11.8.1.12(a)

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Requirement: 18 metres
Proposed: 25 metres
Variance Requested: 6 metres

Variance Number 4: Maximum Driveway Width

By-Law Number 2022-62: Section 7.4.8.5
Requirement: 40% of the street line
Proposed: 50% of the street line
Variance Requested: 10%

Severed Lot:

Variance Number 5: Minimum Lot Area

By-Law Number 2022-62: Table 11.8.1.1(b)
Requirement: 330 square metres for a semi-detached house
Proposed: 315 square metres
Variance Requested: 15 square metre

Variance Number 6: Minimum Lot Frontage

By-Law Number 2022-62: Table 11.8.1.2(b)
Requirement: 9 metres for a semi-detached house
Proposed: 7.75 metres
Variance Requested: 1.25 metres

Variance Number 7: Maximum Building Depth

By-Law Number 2022-62: Table 11.8.1.12(a)
Requirement: 18 metres
Proposed: 25 metres
Variance Requested: 6 metres

Variance Number 8: Maximum Driveway Width

By-Law Number 2022-62: Section 7.4.8.5
Requirement: 40% of the street line
Proposed: 50% of the street line
Variance Requested: 10%; and

That approval of the minor variance application be subject to the conditions attached as Exhibit A (Recommended Conditions – Minor Variance) to Report Number COA-25-036; and,

That consent application, File Number D10-030-2024, to create new severed and retained lots on the subject property with approximately 320 square metres in area and 8 metres of frontage onto Wilson Street each, be **provisionally approved** subject to the conditions included in Exhibit B (Recommended Conditions – Consent) to Report Number COA-25-036.

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Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER

Jacob Slevin, Planner

Consultation with the following Management of the Growth and Development Services Group:

Tim Park, Director, Planning Services

Malcolm Norwood, Supervisor, Development Approvals

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Options/Discussion:

On April 16, 2024, the City of Kingston's Housing and Social Services department provided a report to City Council providing updates on active affordable housing projects and proposing potential new projects ([Report to Council Number 24-055](#)). Among the active and proposed projects, this report recommended that the municipally owned vacant property at 225 Wilson Street be transferred to Habitat for Humanity – Kingston Limestone Region, for the purpose of developing a small-scale housing project for future affordable ownership or rental.

No specific development plans had been made at the time of April 2024. Staff from Habitat for Humanity submitted a pre-application on July 26, 2024, for feedback on a proposal to divide the existing landholding at 225 Wilson Street into two separate lots which will be developed with two new semi-detached, one-storey bungalow homes, for affordable home ownership. Planning staff advised that this would be a viable proposal for the property, subject to approval of a consent application to sever the property and a minor variance application to permit certain zoning deficiencies associated with the new lot creation the development of the new homes.

On August 15, 2024, applications for minor variance and consent were submitted by Habitat for Humanity for the subject property located at 225 Wilson Street. At present, the subject lands are still owned by the City of Kingston. City Real Estate staff have authorized Habitat for Humanity to submit these applications prior to taking ownership of the lands. It is anticipated that the subject lands will be transferred to Habitat for Humanity following an approval of this consent and minor variance application. Conditions ensuring the long-term affordability of the new homes will be secured by the City through the Agreement of Purchase and Sale.

The purpose of the consent application (File Number D10-030-2024) is to divide the subject lands into two new lots with approximately 320 square metres of area and approximately 8 metres of frontage onto Wilson Street. The minor variance (File Number D13-057-2024) is requested to permit zoning deficiencies related to minimum lot area and minimum lot frontage to allow the severance of the lands, and to permit zoning deficiencies related to maximum building depth and maximum driveway width to allow for the development of the proposed new homes.

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

- Site Plan (Exhibit G);
- Grading Plan (Exhibit H)
- Floor Plan and Elevations (Exhibit I)
- Owner Authorization Form

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

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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 225 Wilson Street, within the Rideau Heights neighbourhood of Kingston (Exhibit C – Key Map). The property abuts primarily residential uses: three single detached homes to the south, a collection of townhouse buildings west of Wilson Street, and the Evangel Pentecostal Church to the north (Exhibit D – Neighbourhood Context Map). The property is considered to be in walking distance of numerous amenities, including open space areas (Shannon Park, Headway Park, and Markers Acres Park), a primary school (Rideau Heights Public School), and a plaza at 263 Weller Avenue which contains several commercial and institutional uses.

The subject property is designated Residential in the Official Plan (Exhibit E – Official Plan Map) and zoned Urban Residential Zone 7 (UR7) in Kingston Zoning By-Law Number 2022-62 (Exhibit F – Zoning By-Law Map). A Legacy Exception Zone (L55) is applicable to this property, regulating the development of additional residential units on the subject property. As no additional residential units are proposed on this property as part of this application, the Legacy Exception is not relevant to the current proposal.

Provincial Planning Statement

The Provincial Planning Statement (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.

Consent Application

The review of an application for a consent is subject to Section 53 of the *Planning Act* which requires the approval authority be satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality having regard to the matters addressed in subsection 51(24).

The proposal will result in the creation of two new parcels for affordable residential development. The proposed consent meets the tests set out in the *Planning Act* and plan of subdivision is not required for the proper and orderly development of the property.

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Official Plan

The subject property is designated Residential in the City of Kingston Official Plan. Residential designated lands are intended to be developed primarily with various forms of low-rise, mid-rise, and high-rise residential buildings on full municipal services. The applicant's proposal for these lands would see the development of low-rise residential housing which can be connected to full municipal services.

The creation of individual parcels of land by way of consent is subject to the consent policies of the Official Plan. In considering whether the proposal is appropriate, the Committee of Adjustment will have regard for the requirements included within the Official Plan, specifically Section 9.6.13 titled: "Criteria for Consent Approval".

The proposed new severed and retained lots would be rectangular and regularly shaped, with lot sizes and dimensions that are appropriate for the development of the lots with new semi-detached houses. While the proposed new lots would not have sufficient areas and frontages to meet the minimum zoning requirements of the UR7 Zone, only slight reductions to these zoning standards are proposed, as described in more detail below on Pages 10-11 of this report.

The proposed lot dimensions are sufficient to allow for compliance with many zoning standards established by the UR7 Zone, including the minimum front setback, minimum interior setback, minimum rear setback, and minimum landscaped open space. The lot sizes and frontages of the three residential lots south of 225 Wilson Street are larger than the proposed sizes and frontages for the proposed new parcels. However, it is important to note that these lots are developed with single detached homes and the UR7 Zone requires larger lot sizes and frontages for single detached homes than those required for lots with semi-detached homes. As such, the lot sizes and frontages of the adjacent homes are not a relevant comparison for the development of semi-detached homes. Given that the proposed lot dimensions will allow for the orderly development and functioning of the proposed new semi-detached homes, the proposed lot dimensions are considered appropriate for this development.

Both new lots would have new access points from Wilson Street, which is classified as a local road and not within a controlled area subject to Provincial review and approval. The two proposed new driveways are not within a sight triangle, and no traffic hazards were identified during technical review of the application. New entrance permits will be required for the development of the two new driveways.

No impacts to any natural heritage areas or systems will result from approval of this application, as there are no natural heritage areas located on or adjacent to the subject lands. The subject lands have already been cleared of archaeological resources, and as such no new

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archaeological studies will be required prior to development of the new homes. The subject property is within the Urban Boundary and can be connected to existing municipal services.

The proposal meets the intent of the Official Plan, as the proposed creation of new lots for semi-detached homes on the subject property is consistent with all applicable Official Plan policies and will not result in any negative impacts to adjacent properties or to the neighbourhood.

Zoning By-Law

The subject property is zoned UR7 in Kingston Zoning By-Law Number 2022-62 (Exhibit F – Zoning By-Law Map). The UR7 Zone permits several low-rise residential uses, including houses, semi-detached houses, and townhouses. The UR7 Zone establishes different zoning standards for residential development depending on the type of built form proposed.

Minor variances are requested to permit reduced minimum lot area, minimum lot frontages, increased maximum building depth, and increased maximum driveway width, for both the proposed severed and retained lots.

Minor Variance Application

The review of an application for minor variance(s) is not a simple mathematical calculation, but rather a detailed assessment of whether the variance(s) 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:

1) The general intent and purpose of the Official Plan are maintained

The subject property is designated Residential in the City of Kingston Official Plan (Exhibit E – Official Plan Map).

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 subject lands are part of a Housing District within the Urban Boundary identified in Schedule 2 of the Official Plan. Housing Districts are intended for development of primarily residential uses, supported by open space, community facilities and commercial uses. Minor infilling and development of vacant and unused lands within Housing Districts are encouraged by Section 2.2 of the Official Plan. Low-rise residential development, such as semi-detached houses, are the predominant form of housing within the City and this type of built form is considered appropriate in existing low-rise residential area. The neighbourhood surrounding the subject property at 225 Wilson Street is considered an existing low-rise residential area.

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While the Official Plan recognizes the importance of developing all types of housing, Section 3.2.18 specifies that the development of new affordable housing is a fundamental matter of public interest and should be prioritized. The development of this new affordable housing is not anticipated to have any adverse impacts on adjacent properties with regard to the land use compatibility matters identified in Section 2.7 of the Official Plan. As one-storey semi-detached homes, there will be no impacts related to shadowing, intrusive overlook, or wind speed. The addition of two semi-detached homes is not anticipated to have significant impacts on traffic, transit, or on other municipal infrastructure or services. The scale, massing, and location of the proposed homes are all anticipated to be consistent with the surrounding residential built environment. A grading plan will need to be reviewed to the City's satisfaction prior to issuance of a Building Permit, and this will ensure that no adverse impacts on neighbouring properties are caused due to stormwater runoff or drainage.

The subject property does not contain any designated built heritage resources and archeological clearance of the property has already been received. No Heritage Impact Statement is required given that no properties in the area are designated under the *Ontario Heritage Act*. The lands are within the Urban Boundary and the proposed new semi-detached homes can be connected to existing municipal water and sewage infrastructure.

The requested variances will not set any undesirable precedents for the immediate area. The proposed use of the lands for semi-detached houses is a permitted use in the area, and the variances are requested solely to provide minor zoning relief related to the new proposed lot dimensions and the built form of the new homes. The development is anticipated to be compatible with the surrounding area and will not cause any adverse impacts to adjacent properties, and as such, no undesirable precedents are being created. Given that the cumulative effect of the proposed variances will be to enable the development of a permitted land use with slightly reduced lot dimensions, a slightly increased building depth, and a slightly increased maximum driveway width, a minor variance application is a more appropriate means of providing zoning relief than a full zoning by-law amendment application.

Please refer to Exhibit A and Exhibit B of this report for a full list of the recommended conditions of approval for this development.

The proposal meets the intent of the Official Plan, as the proposed new semi-detached homes is consistent with all applicable Official Plan policies and will not result in any negative impacts to adjacent properties or to the neighbourhood.

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

The subject property is zoned UR7 in Kingston Zoning By-Law Number 2022-62 (Exhibit F – Zoning By-Law Map). The UR7 Zone permits several low-rise residential uses, including

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houses, semi-detached houses, and townhouses. The UR7 Zone establishes different zoning standards for residential development depending on the type of built form proposed.

Minor variances are requested to permit reduced minimum lot area, minimum lot frontages, increased maximum building depth, and increased maximum driveway width, for both the proposed severed and retained lots.

Variance Number 1: Minimum Lot Area (Retained Lot)

By-Law Number 2022-62: Table 11.8.1.1(b)
Requirement: 330 square metres for a semi-detached house
Proposed: 315 square metres
Variance Requested: 15 square metre

Variance Number 5: Minimum Lot Area (Severed Lot)

By-Law Number 2022-62: Table 11.8.1.1(b)
Requirement: 330 square metres for a semi-detached house
Proposed: 315 square metres
Variance Requested: 15 square metre

The purpose of the zoning standards establishing a minimum lot area is to ensure that parcels are in a particular neighbourhood area relatively comparable to one another, and to ensure that these have sufficient space for the effective functioning of a particular land use. By setting minimum standards for lot area, these zoning standards intend to provide sufficient space for a residential lot to be developed with such standard aspects of a residential lot such as a primary dwelling, a driveway, and potential accessory buildings, while leaving sufficient space for compliance with minimum setbacks and minimum landscaped open space requirements.

In this development proposal, the applicant has submitted a site plan showing the size and location of the proposed semi-detached houses (Exhibit G – Site Plan). Through a review of the submission materials, planning staff have confirmed that the proposed new buildings will be zone compliant in terms of meeting the minimum required setbacks and the minimum landscaped open space requirements. As such, despite the requested reduction in minimum lot area, the proposed new parcels will have sufficient area for the development of properly functioning semi-detached houses on these new lots and the requested variance is therefore considered to meet the intention of the Zoning By-law.

Variance Number 2: Minimum Lot Frontage (Retained Lot)

By-Law Number 2022-62: Table 11.8.1.2(b)
Requirement: 9 metres for a semi-detached house
Proposed: 7.75 metres
Variance Requested: 1.25 metres

Variance Number 6: Minimum Lot Frontage (Severed Lot)

By-Law Number 2022-62: Table 11.8.1.2(b)
Requirement: 9 metres for a semi-detached house

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Proposed: 7.75 metres
Variance Requested: 1.25 metres

The purpose of the minimum lot frontage requirements is to ensure that an adequate and consistent separation of different land uses is maintained. Additionally, minimum lot frontage requirements ensure that driveways and other access points from roads are not placed too closely to one another in the interest of avoiding traffic hazards.

The proposed lot frontages for the new parcels are considered appropriate for a functional and safe development of the property. The actual proposed frontages for the new parcels is closer to 8 metres, however, the variances request a reduction to 7.75 metres to provide additional flexibility for lot creation when a final Registered Plan of Survey is conducted. Lot frontages of 8 metres are contemplated by the UR7 Zone, but these dimensions are only permitted for townhouse development, whereas the frontages for lots containing semi-detached houses is 9 metres. Regardless of this distinction in minimum lot frontages, semi-detached houses and townhouses are similar in terms of their functionality. Given this similarity, semi-detached houses with a lot frontage of approximately 8 metres each would function in a comparable manner to townhouses, which the UR7 Zone acknowledges is an appropriate frontage for a lot containing a townhouse.

Furthermore, this variance is somewhat technical given the fact that this variance would not be required if the same two semi-detached homes were developed on the existing landholding without a severance, as 225 Wilson Street currently has a frontage of approximately 16 metres. For these reasons, the requested variances for lot frontage meet the intent of the Zoning By-law.

Variance Number 3: Maximum Building Depth (Retained Lot)

By-Law Number 2022-62: Table 11.8.1.12(a)
Requirement: 18 metres
Proposed: 25 metres
Variance Requested: 6 metres

Variance Number 7: Maximum Building Depth (Severed Lot)

By-Law Number 2022-62: Table 11.8.1.12(a)
Requirement: 18 metres
Proposed: 25 metres
Variance Requested: 6 metres

The purpose of the maximum building depth variance is to regulate residential buildings to ensure that properties maintain a relatively consistent built form, to ensure that buildings do not occupy an excessive portion of the length of the property, and that an adequate separation distance is maintained between the rear wall of the building and the rear lot line.

A variance to allow for an increased maximum building depth is being sought in this case, since a longer residential building is considered to be appropriate for the nature of this development, and that the resulting built form will be compatible with the surrounding area. As a one-storey development, the new semi-detached homes will be relatively small in terms of scale and

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amount of gross floor area. To compensate for the lack of usable floor space resulting from having no additional storeys, the applicants have proposed to extend the buildings further into the rear lot. Despite the additional proposed building depth, the new building will exceed the minimum requirements for the separation distance between the rear wall and the rear lot line. Furthermore, the proposed building depth will be compatible with surrounding development. Specifically, the single detached house at 211 Wilson Street is developed with a building depth of approximately 24 metres, comparable to what is proposed for 225 Wilson Street. For these reasons, the requested variance to permit an increased maximum building depth is considered to be compatible with the intent and purpose of the Zoning By-law.

Variance Number 4: Maximum Driveway Width (Retained Lot)

By-Law Number 2022-62: Section 7.4.8.5
Requirement: 40% of the street line
Proposed: 50% of the street line
Variance Requested: 10%

Variance Number 8: Maximum Driveway Width (Severed Lot)

By-Law Number 2022-62: Section 7.4.8.5
Requirement: 40% of the street line
Proposed: 50% of the street line
Variance Requested: 10%

The purpose of the maximum driveway width provisions of the zoning by-law are to ensure that the front yards of residential properties are not dominated by driveway areas, and to discourage excessive paving of landscaped areas with impermeable surfaces used for driveways such as asphalt or concrete. For this proposal, it is important to note that the applicants are exceeding the minimum requirements for the provision of soft landscaped open space. The additional driveway width requested would have an extremely modest effect on the amount of landscaped open space provided, and the applicants would still far exceed the minimum requirements.

The applicant has proposed driveway widths of 3.66 metres for each new lot. The maximum width for a driveway is either 6 metres or 40% of the lot width, whichever is the lesser. A 3.66 metre wide driveway would not inherently be restricted by the zoning by-law, but relief in this case is required given that 3.66 metres exceeds 40% of a 7.75 metre wide lot frontage. Additionally, a 3.66 metre wide driveway would be permitted by the zoning by-law if the driveway was leading to a garage of equal or greater width. However, as there is no proposed garage for this development, the proposed new driveways cannot benefit from this exception. Despite this, it is clear that Section 7.4.8 of the zoning by-law allows for wider driveways in a number of extenuating circumstances, and as such, granting zoning relief to allow for a modest increase in driveway width is consistent with the intent and purpose of the zoning by-law.

For the reasons described in detail above, the requested variances each maintain the general intent and purpose of the zoning by-law.

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3) The variances are minor in nature

The variances are considered minor as the cumulative effect of the requested variances is to enable the development of a one-storey semi-detached building on the vacant subject lands.

As previously described, the variances requested to minimum lot size and frontage to facilitate the severance application are technical in nature, given that the development of two semi-detached houses on the same parcel of land would be permitted without these variances. These particular variances are only required because the applicant wishes to divide the land and make each home separately conveyable for affordable home ownership. The lot sizes and frontages require only slight reductions from the minimum zoning standards, and the new homes will have sufficient space to function effectively despite the need for variances. The variance for building depth is considered minor as the applicants are seeking to develop a similar building depth to another residential home in close proximity to the subject property, rather than seeking a building depth unlike any other lots in the surrounding area. Regarding the variances for maximum driveway width, these are also somewhat technical in nature given that they would not be required if the new semi-detached homes were developed with a driveway of equal width.

Given the scale of the proposed development, in addition to the fact that many of the variances are only required for technical reasons, the variances are considered to be minor in nature, both when viewed individually and in terms of their cumulative effect.

4) The variances are desirable for the appropriate development or use of the land, building or structure

The requested variances are considered to be desirable, given that approval of these variances will enable the development of two new semi-detached homes which will be made available for homeownership at affordable rates. The Official Plan explicitly identifies affordable housing development as the highest priority of housing development, due to imbalance between the extremely high demand for affordable housing and the low availability of affordable housing units for both rental and ownership. Furthermore, City Council has approved of a recommendation from the Housing and Social Services department to transfer the subject lands at 225 Wilson Street to a non-profit developer for the purpose of developing a small-scale affordable housing project. This recommendation for approval of the requested variances will advance this project, in accordance with the direction received from City Council.

As this proposal is consistent with Official Plan direction regarding the provision of affordable housing and is consistent with explicit direction from City Council, the requested variances represent a desirable and appropriate use of the land.

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Technical Review: Circulated Departments and Agencies

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Building Division | <input checked="" type="checkbox"/> Engineering | <input checked="" type="checkbox"/> Heritage Services |
| <input checked="" type="checkbox"/> Finance | <input checked="" type="checkbox"/> Utilities Kingston | <input checked="" type="checkbox"/> Real Estate |
| <input type="checkbox"/> Fire & Rescue | <input checked="" type="checkbox"/> Kingston Hydro | <input checked="" type="checkbox"/> Environment Division |
| <input checked="" type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Parks Development | <input type="checkbox"/> Canadian National Railways |
| <input checked="" type="checkbox"/> Housing | <input checked="" type="checkbox"/> District Councillor | <input type="checkbox"/> Ministry of Transportation |
| <input type="checkbox"/> KEDCO | <input checked="" 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 | | |

Technical Comments

The applications were circulated to external agencies and internal departments for their review and comment and there were no comments or concerns raised that would preclude the applications 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

There are no concurrent or relevant historic planning applications on the subject property.

Conclusion

The requested minor variance and consent applications are consistent with the Provincial Policy Statement and conform 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 variances are desirable for the appropriate development or use of the land, building or structure and are minor in nature. The proposed minor variance application meets all four tests under Subsection 45(1) of the *Planning Act* and is being recommended for approval, subject to the proposed conditions.

The requested consent application has regard to the matters set out in subsection 51(24) of the *Planning Act* and a plan of subdivision is not necessary for the proper and orderly development

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of the property. As such, the requested consent application is recommended for provisional approval.

Provisional approval of these applications will enable the creation of two new residential lots from the existing landholding at 225 Wilson Street, which will be developed with new semi-detached homes for affordable home ownership.

Existing Policy/By-Law:

The proposed applications were 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 March 24, 2025 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 14 days in advance of the meeting. In addition, notices were sent by mail to a total number of 16 property owners (according to the latest Assessment Roll) within 60 metres of the subject property and a courtesy notice was placed in The Kingston Whig-Standard (Exhibit L – 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

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Contacts:

Malcolm Norwood, Supervisor, Development Approvals 613-546-4291 extension 3236

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

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Recommended Conditions – Minor Variance

Exhibit B Recommended Conditions – Consent

Exhibit C Key Map

Exhibit D Neighbourhood Context Map

Exhibit E Official Plan Map

Exhibit F Zoning By-Law Map

Exhibit G Site Plan

Exhibit H Grading Plan

Exhibit I Floor Plans and Elevations

Exhibit J Site Photos

Exhibit K Public Notification Map

Recommended Conditions

The approval of minor variance application, File Number D13-057-2024, to permit a reduced minimum lot area, reduced minimum lot frontage, an increased maximum building depth, and increased maximum driveway widths, shall be subject to the following recommended conditions:

1. Limitation

That the approved minor variance applies only to the subject lands and the proposed semi-detached homes 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.

5. Stormwater Management Brief

Prior to the issuance of a Building Permit, the applicant must submit a Stormwater Management Brief to be reviewed and approved by the City.

6. Grading and Servicing Plan

Prior to the issuance of a Building Permit, the applicant must submit a Grading and Servicing Plan to be reviewed and approved by the City.

7. Tree Permit

Prior to the issuance of a Building permit, the applicant shall obtain a Tree Permit to ensure preservation of the adjacent trees at 149 McCauley Street and 219 Wilson Street.

Recommended Conditions

The provisional approval of consent application, File Number D10-030-2024, to create new severed and retained lots at 225 Wilson Street, shall be subject to the following recommended conditions:

1. Certificate of Official and Deadline

That all conditions are satisfied and the Certificate of Official be presented to the Secretary-Treasurer, Committee of Adjustment for certification under Section 53(42) of the Planning Act, R.S.O. 1990 as amended, within two years of mailing of this notice. We suggest that the Land Registry Office be consulted for preapproval of the Certificate of Official to avoid delays.

The Certificate must be registered within two years from the issuance of the certificate as required under Section 53(43) of the Planning Act, R.S.O. 1990, as amended. A copy of the registered transfer certificate shall be provided to the Secretary-Treasurer, Committee of Adjustment to complete the file.

2. Reference Plan

That a digital version of a Reference Plan be provided in a PDF and AutoCAD Windows readable format on a compact disc (CD), USB memory stick or by email, illustrating the severed parcel be prepared and presented to the Secretary-Treasurer, Committee of Adjustment prior to the issuance of the Certificate of Official.

3. Payment of Taxes

The owner/applicant shall contact the Tax Department at tax@cityofkingston.ca and secure in writing from the Treasurer or the Manager of Taxation and Revenue, proof of payment of current taxes and any special charges (not simply a copy of the tax bill) required to be paid out and a statement of proof that is received and shall be provided to the Secretary-Treasurer Committee of Adjustment, prior to the issuance of the consent certificate. The owner/applicant must pay any outstanding realty taxes and all local improvement charges levied against the property.

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.

5. Civic Addressing

As this application creates a new property, the applicant will be required to submit a D20 Civic Addressing application to obtain new addresses for the severed and retained lots prior to receiving a Certificate of Official.

6. Entrance Permit

New entrance permit(s) are required for any new driveways accessing the municipal road allowance.

7. Associated Minor Variance

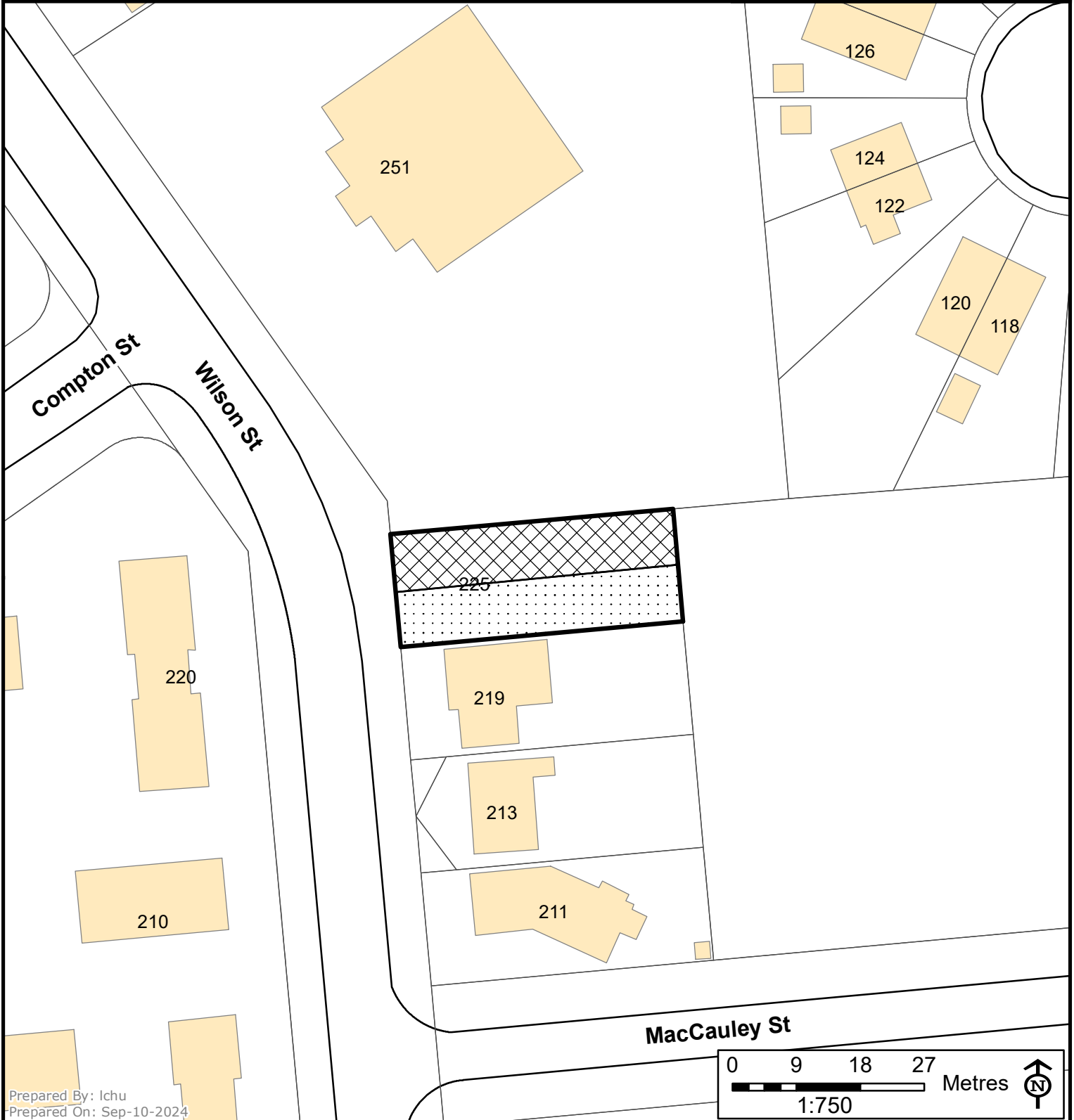
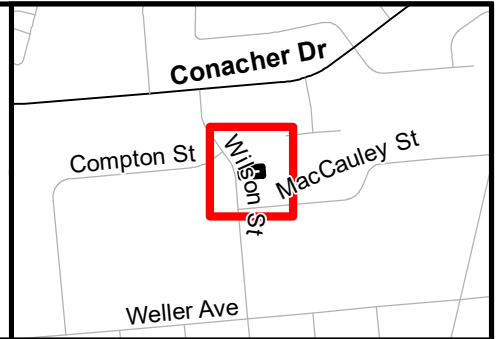
That the associated Minor Variance (File Number D13-057-2024) be approved and all associated conditions of approval are met.



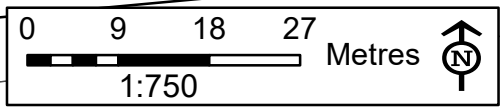
Delegated Authority Key Map

Address: 225 Wilson Street
File Number: D10-030-2024 & D13-057-2024
Prepared On: Sep-10-2024

- Subject Lands
- Severed Lands
- Retained Lands



Prepared By: Ichu
Prepared On: Sep-10-2024



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Delegated Authority Neighbourhood Context

Address: 225 Wilson Street
File Number: D10-030-2024 & D13-057-2024
Prepared On: Sep-10-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels






Prepared By: lchu
Prepared On: Sep-10-2024

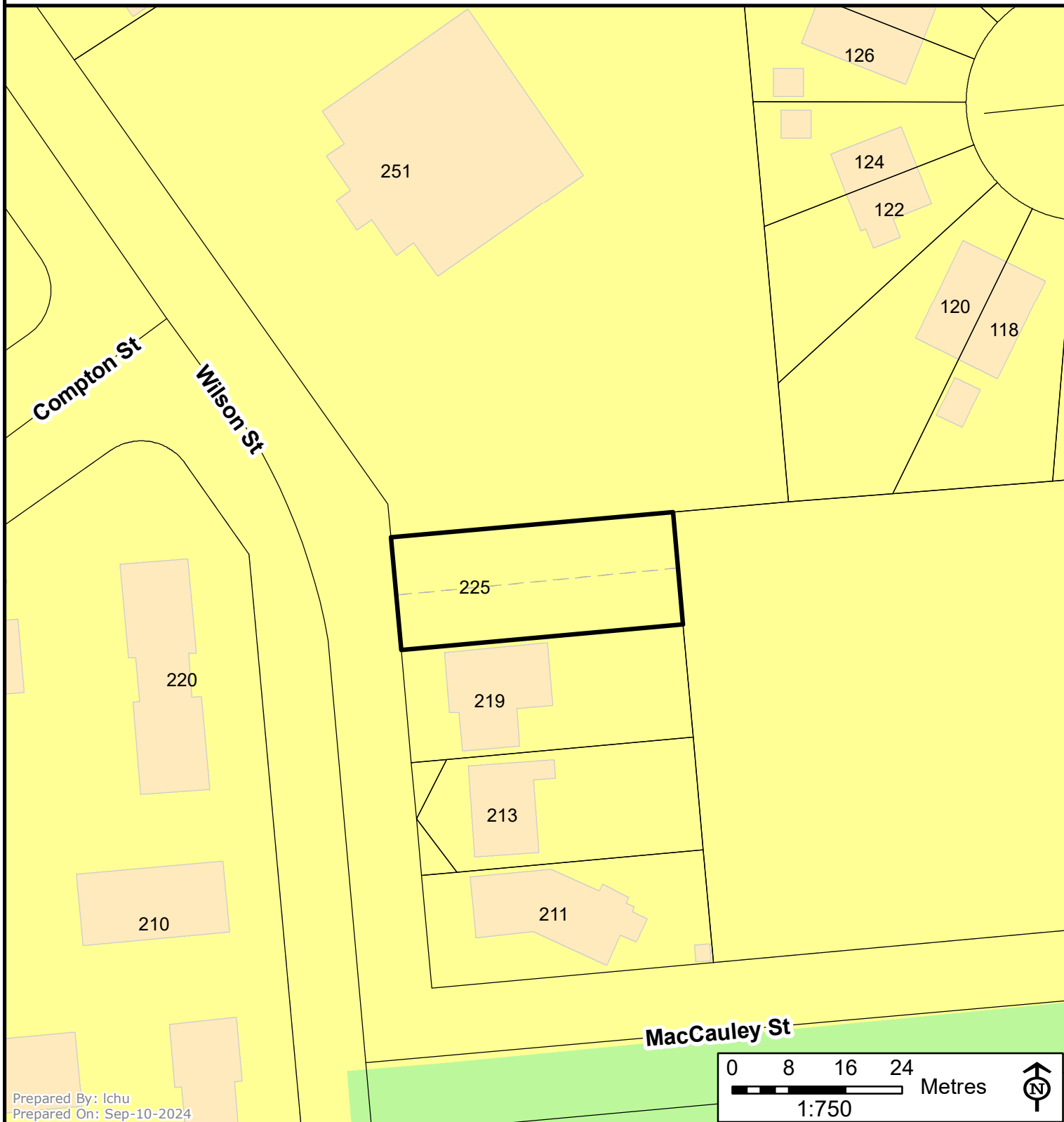
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Delegated Authority
Official Plan, Existing Land Use

Address: 225 Wilson Street
File Number: D10-030-2024 & D13-057-2024
Prepared On: Sep-10-2024

-  Subject Lands
-  OPEN SPACE
-  RESIDENTIAL



Prepared By: Ichu
Prepared On: Sep-10-2024

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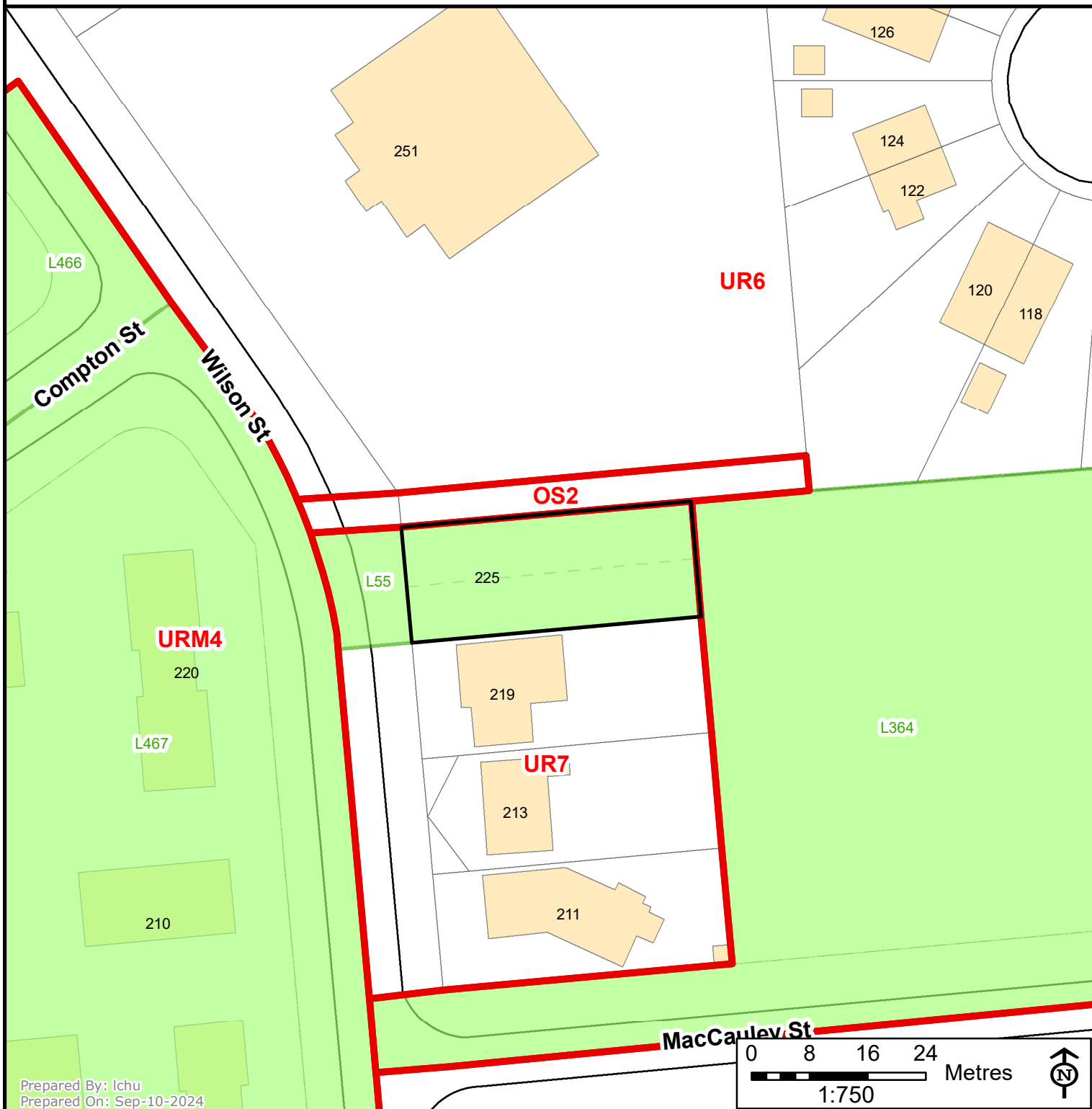
Planning Committee
Existing Zoning
Kingston Zoning By-Law 2022-62

Planning Services

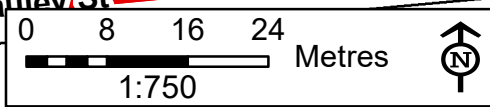
Address: 225 Wilson Street
File Number: D10-030-2024 & D13-057-2024
Prepared On: Sep-10-2024

Subject Lands
Schedule 1 Zoning Map
Zone

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



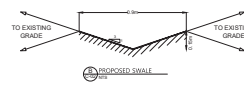
Prepared By: Ichu
Prepared On: Sep-10-2024



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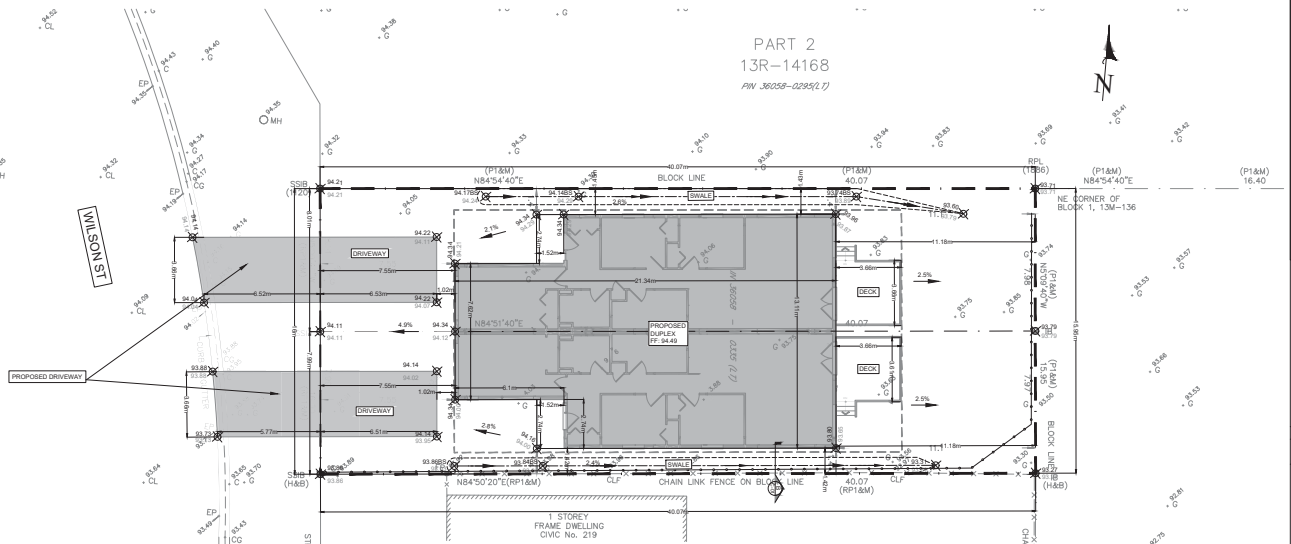


B KEY PLAN
1:1000



PROPOSED SWALE

PART 2
13R-14168
PIN 36058-0225(1,1)



A SITE PLAN
1:100

DUPLEX AND SEVERANCE

225 WILSON ST, KINGSTON ON
CLIENT:
HABITAT FOR HUMANITY

ASTERISK
ENGINEERING CORPORATION
1480 Bath,
Kingston, ON,
K7M 4X6
(613) 542-2040 fax: 1 613 280-1335
www.asteriskengineering.com

TRAIL FOR	REV	DATE

Do not scale drawings. Refer to Architectural drawings for dimensions. All elevations/dimensions shall be verified with Architectural drawings and any discrepancies shall be reported immediately to consultant.
Read this drawing in conjunction with ALL applicable Architectural, Mechanical, electrical and other disciplines involved.
This drawing is "design drawing" only and are not intended to be used as shop drawings.

- LEGEND:**
- PR GRADE
 - EX GRADE
 - 2.5% SLOPE
 - SILT FENCE



SCALE: 1:100	UNITS: m
DESIGNED: TC	CHECKED: TC
DRAWING TITLE:	DRAWN: MT

SITE AND GRADING PLAN

DRAWING NO.:	C-01
PROJECT NO.:	24-148
DATE:	OCT 24, 2024

Exhibit H Report Number COA-25-036

SURVEYOR'S CERTIFICATE:

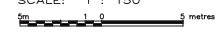
I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 29TH DAY OF JULY, 2024.

AUGUST 13, 2024
 DATE

 LESLIE M. HODGSON
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS SUBMISSION FORM NUMBER V-79591

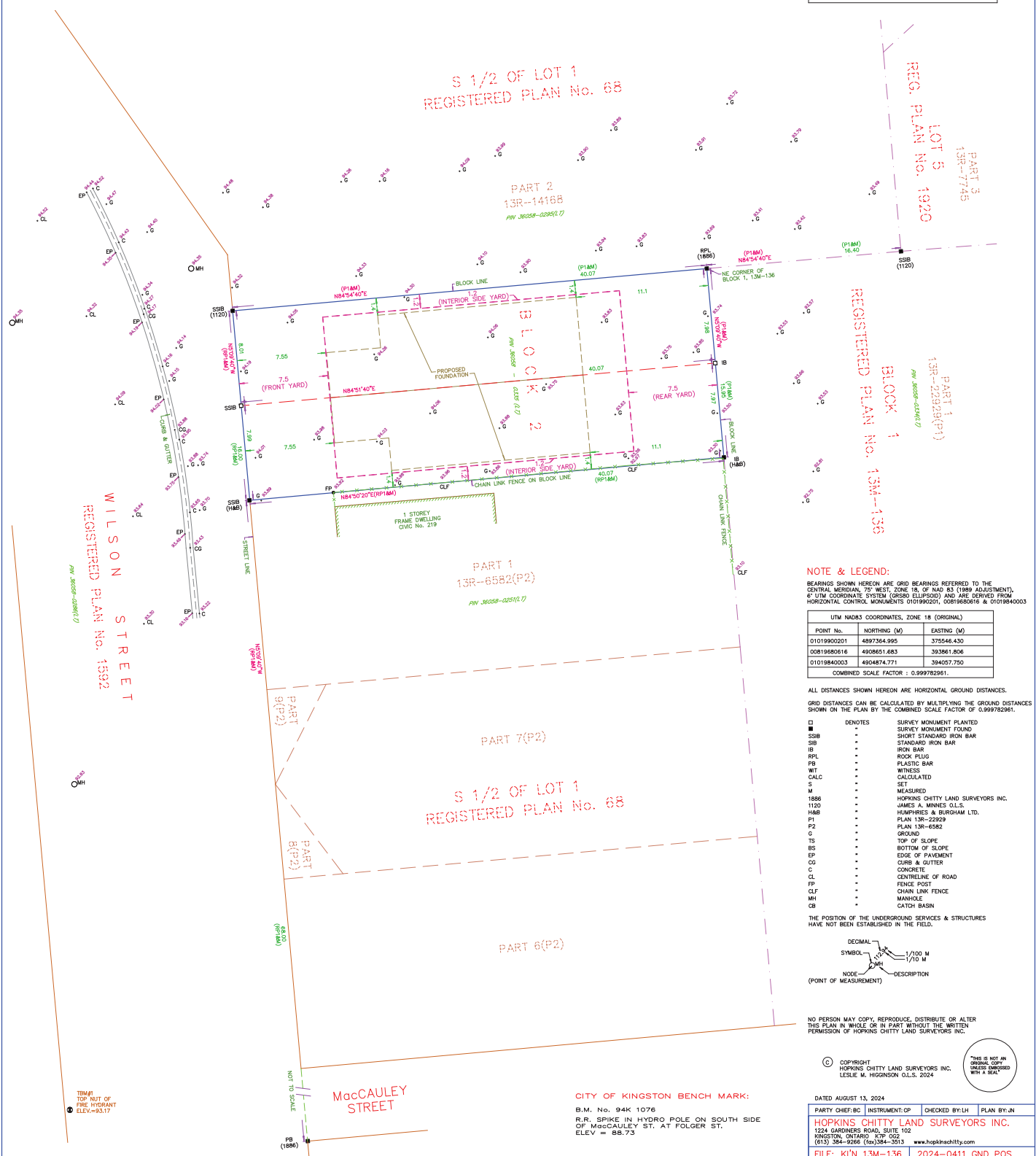
PLAN OF SURVEY
 OF BLOCK 2
 REGISTERED PLAN No. 13M-136
 CITY OF KINGSTON
 COUNTY OF FRONTENAC
 SCALE: 1 : 150



METRIC
 DISTANCES & COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

HOPKINS CHITTY LAND SURVEYORS INC.
 2024

THIS REPORT WAS PREPARED FOR HABITAT FOR HUMANITY & THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES



NOTE & LEGEND:

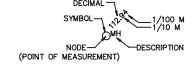
BEARINGS SHOWN HEREON ARE GRID BEARINGS REFERRED TO THE CENTRAL MERIDIAN, 76° WEST, ZONE 18, OF NAD 83 (1989 ADJUSTMENT), G UTM COORDINATE SYSTEM (GRS80 ELLIPSOID) AND ARE DERIVED FROM HORIZONTAL CONTROL MONUMENTS 0101960201, 0081660616 & 0101964003

UTM NAD83 COORDINATES, ZONE 18 (ORIGINAL)		
POINT No.	NORTHING (M)	EASTING (M)
0101960201	4897364.995	375546.430
0081660616	4908651.683	393861.806
0101964003	4904874.771	394057.750
COMBINED SCALE FACTOR : 0.999782961		

ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES. GRID DISTANCES CAN BE CALCULATED BY MULTIPLYING THE GROUND DISTANCES SHOWN ON THE PLAN BY THE COMBINED SCALE FACTOR OF 0.999782961.

- Q DENOTES SURVEY MONUMENT PLANTED
- SURVEY MONUMENT FOUND
- SSB SHORT STANDARD IRON BAR
- IB STANDARD IRON BAR
- IB IRON BAR
- RPL ROCK PLUG
- PIR PLASTIC BAR
- WIT WITNESS
- CALC CALCULATED
- S SET
- M MEASURED
- 1886 HOPKINS CHITTY LAND SURVEYORS INC.
- 1120 JAMES A. MINNES O.L.S.
- HAB8 HOPKINS & BURHAM LTD.
- P1 PLAN 13R-23229
- P2 PLAN 13R-6582
- G GROUND
- TS TOP OF SLOPE
- BS BOTTOM OF SLOPE
- EP EDGE OF PAVEMENT
- CG CURB & GUTTER
- C CONCRETE
- CL CENTRELINE OF ROAD
- FP FENCE POST
- GLF CHAIN LINK FENCE
- MH MANHOLE
- CB CATCH BASIN

THE POSITION OF THE UNDERGROUND SERVICES & STRUCTURES HAVE NOT BEEN ESTABLISHED IN THE FIELD.



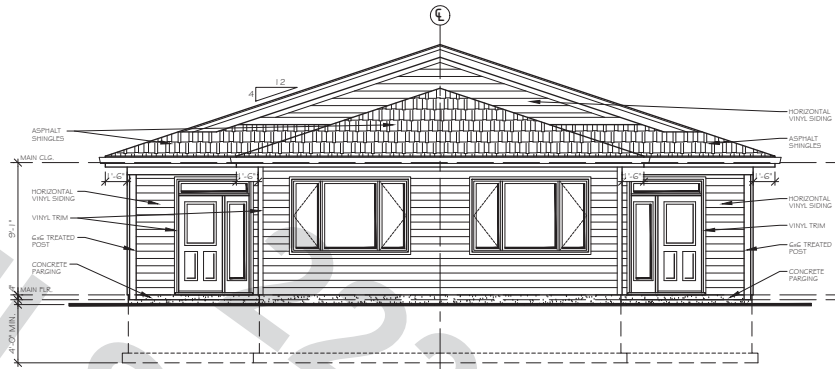
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DATED AUGUST 13, 2024			
PARTY CHIEF: BC	INSTRUMENT: CP	CHECKED BY: LH	PLAN BY: JN
HOPKINS CHITTY LAND SURVEYORS INC.			
1224 GARDINERS ROAD, SUITE 102 KINGSTON, ONTARIO, K7V 6Z2 (613) 384-9266 (fax) 384-3513 www.hopkinschitty.com			
FILE: K1'N 13M-136 2024-0411 GND POS			

CITY OF KINGSTON BENCH MARK:
 B.M. No. 94K 1076
 R.R. SPIKE IN HYDRO POLE ON SOUTH SIDE OF MACCAULEY ST. AT FOLGER ST.
 ELEV = 88.73

THIS IS NOT AN ORIGINAL COPY UNLESS SIGNED WITH A SEAL



FRONT ELEVATION



REAR ELEVATION

HABITAT
FOR
HUMANITY



FOR BUILDING PERMIT SUBMISSION & ISSUANCE

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 - A RED INK STAMP WITH AN ORIGINAL SIGNATURE IN BLUE INK
 - SCHEDULE I: DESIGNER FORM WITH AN ORIGINAL SIGNATURE IN BLUE INK

I, Nuno Pacheco BCIN 20817 of Nu-Dimension Design & Drafting BCIN 29250 have reviewed this Drawing and take responsibility for the design activities.
Signature: Nuno Pacheco
ONLY VALID FOR BUILDING PERMIT SUBMISSION BY: 12/31/24

DO NOT HOLD THE PERMITTEE. ALL DIMENSIONS AND INFORMATION MUST BE REVIEWED BY PERMITTEE. CHECK FOR ALL DIMENSIONS AND VERIFY ALL DIMENSIONS ON SITE. ALL DIMENSIONS ON SITE ARE SUBJECT TO CHANGE.

#	DRAWING DESCRIPTION	DATE
1	ISSUED FOR PERMIT/ISSUANCE	06/24/24
2		
3		
4		

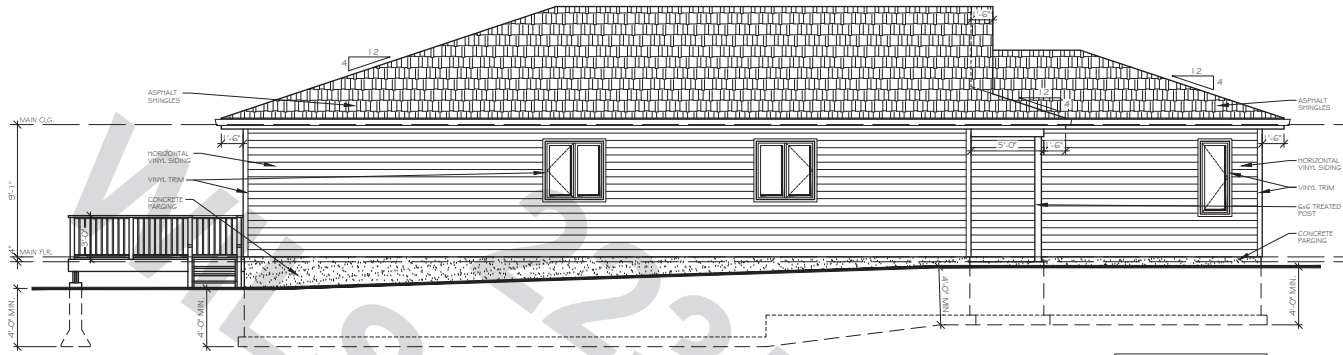
PROJECT:
NEW SEMI-DETACHED
RESIDENCE
223/225 WILSON STREET
KINGSTON, ONTARIO

DRAWING TITLE:
ELEVATIONS

SCALE: 1/4"=1'-0"
DATE: JUNE 24, 2024
DRAWN BY: NP/DN
CHECKED BY: NP/DN
DRAWING REF#: ND3234

LOT NUMBER:

DRAWING NO. **A-1** OF **6**

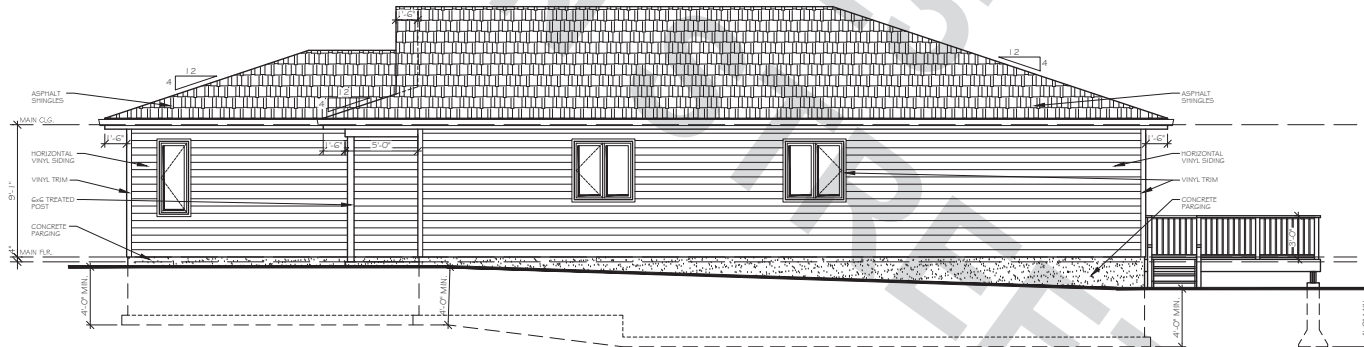


UNPROTECTED OPENINGS:

WALL AREA:	730 SQ. FT.
LIMITING DISTANCE:	4'-0"
PERMITTED OPENINGS:	10740 SQ. FT. 7.33%
PROPOSED OPENINGS:	42 SQ. FT. 5.63%

LEFT ELEVATION

WHERE STEPPED FOOTINGS ARE USED THE RISE IS NOT TO EXCEED 23 SIP AND THE DISTANCE BETWEEN RISERS SHALL NOT BE LESS THAN 23 SIP. THE FOOTING DEPTH IS TO BE 4'-0" MIN. BELOW GRADE.



UNPROTECTED OPENINGS:

WALL AREA:	730 SQ. FT.
LIMITING DISTANCE:	4'-0"
PERMITTED OPENINGS:	5040 SQ. FT. 7.00%
PROPOSED OPENINGS:	42 SQ. FT. 5.63%

RIGHT ELEVATION

WHERE STEPPED FOOTINGS ARE USED THE RISE IS NOT TO EXCEED 23 SIP AND THE DISTANCE BETWEEN RISERS SHALL NOT BE LESS THAN 23 SIP. THE FOOTING DEPTH IS TO BE 4'-0" MIN. BELOW GRADE.

HABITAT FOR HUMANITY



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I, Nuno Pacheco BCIN 20817 of Nu-Dimension Design & Drafting BCIN 29250 have reviewed this Drawing and take responsibility for the design activities.

Signature: *Nuno Pacheco*
ONLY VALID FOR BUILDING PERMIT SUBMISSION BY: 12/31/24

DO NOT SEAL THE DRAWING. ALL DIMENSIONS AND SPECIFICATIONS MUST BE REVIEWED BY CONTRACTOR. CHECK FOR ALL DIMENSIONS AND SPECIFICATIONS. ALL DIMENSIONS ON THIS DRAWING ARE UNLESS OTHERWISE NOTED.

#	DRAWING DESCRIPTION	DATE
1	ISSUED FOR PERMIT/ISSUANCE	06/24/24
2		
3		

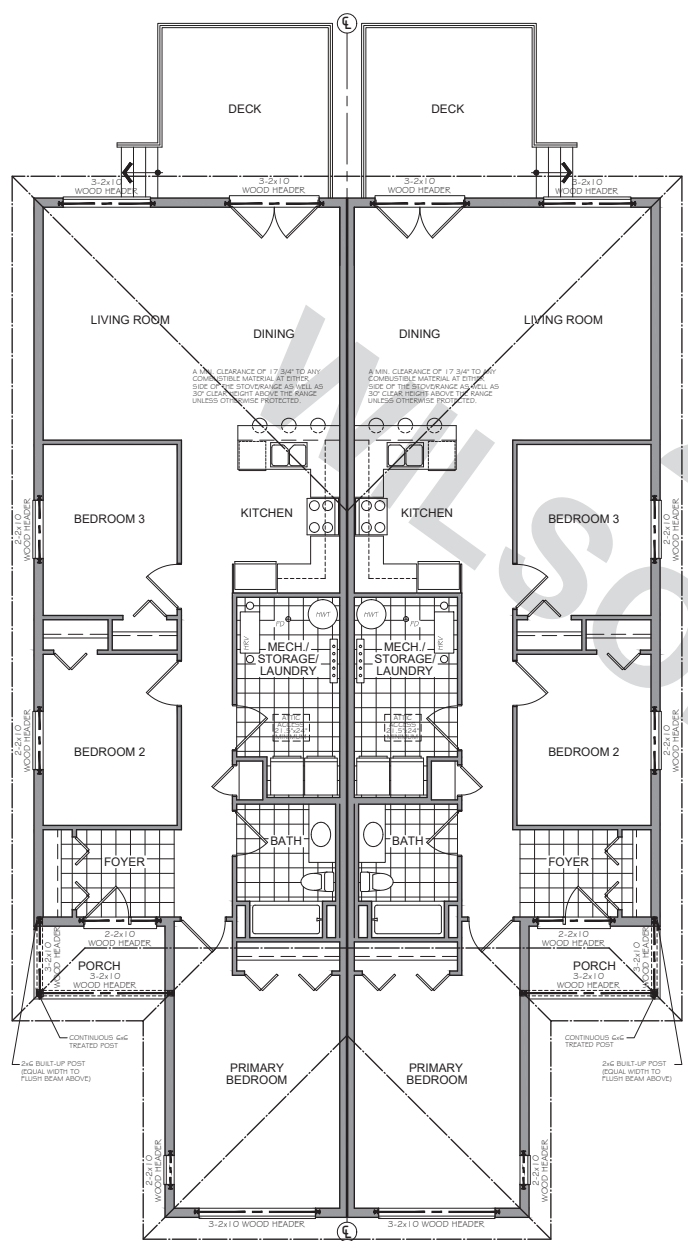
PROJECT:
NEW SEMI-DETACHED RESIDENCE
223/225 WILSON STREET
KINGSTON, ONTARIO

DRAWING TITLE:
ELEVATIONS

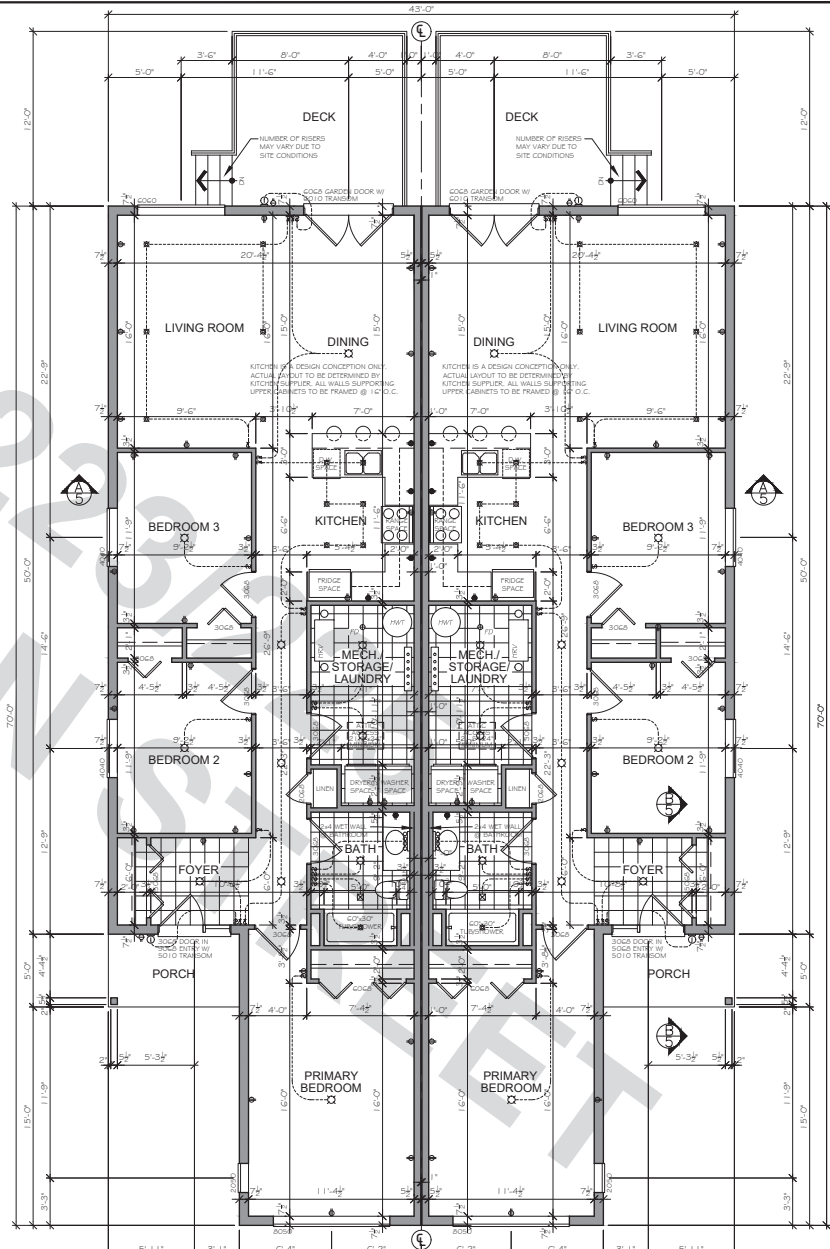
SCALE: 1/4"=1'-0"
DATE: JUNE 24, 2024
DRAWN BY: NP/DN
CHECKED BY: NP/DN
DRAWING REF#: ND3234

LOT NUMBER:

DRAWING NO. **A-2** OF **6**



MAIN FLOOR STRUCTURAL PLAN



UNIT 1 FLOOR AREA = 1325 SQ.FT.

UNIT 1 FLOOR AREA = 1325 SQ.FT.

NOTE:
ALL WINDOW & DOOR SIZES ARE IN FEET.
EXAMPLE:

EXTERIOR WINDOWS AND DOORS AS PER WINDOW MANUFACTURER'S STANDARD SIZES.
SEE ROUGH STUD OPENING SIZES PROVIDED BY WINDOW / DOOR SUPPLIER.

ELECTRICAL NOTE:
• CONFIRM LOCATIONS OF ELECTRICAL RECEPTACLES, SWITCHES, AND LIGHTS WITH CLIENTS AND BUILDER.

MECHANICAL NOTE:
• MECHANICAL WALLS ARE TO BE FRAMED ONLY IF REQUIRED. CONFIRM WITH BUILDER/MECH CONTRACTOR ON SITE.

ELECTRICAL SCHEDULE

SWITCHES
 1 SWITCH
 3 WAY SWITCH

LIGHTS
 LIGHT
 POT LIGHT
 WALL SCONCE
 PENDANT/HANGING LIGHT
 BATH BAR
 TRACK LIGHT
 FLOURESCENT

RECEPTACLES
 DUPLEX
 SWITCHED
 SPLIT
 GROUND FAULT
 WATERPROOF
 220
 FLOOR

MISCELLANEOUS
 PHONE JACK
 TV CABLE
 CARBON MONOXIDE / SMOKE ALARM
 CEILING FAN
 CEILING FAN/LIGHT
 EXHAUST FAN
 VACUUM INTAKE
 EXTERIOR HOSE BIB
 EXTERIOR GAS LINE

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- A RED INK STAMP WITH AN ORIGINAL SIGNATURE IN BLUE INK
- SCHEDULE L DESIGNER FORM WITH AN ORIGINAL SIGNATURE IN BLUE INK

1. Nu Dimension Design & Drafting BCIN 28250 have reviewed this Drawing and take responsibility for the design activities.

Signature: *[Signature]*

ONLY VALID FOR BUILDING PERMIT SUBMISSION BY: 12/31/24

DO NOT HOLD THE PERMIT. ALL PERMITS AND INSURANCES MUST BE REVIEWED BY CONTRACTOR. CHECK FOR ANY CHANGES TO ANY OF THE ABOVE INFORMATION FOR ANY REVISIONS.

#	DRAWING DESCRIPTION	DATE
1	ISSUED FOR PERMIT/TENDRE	06/24/24
2		
3		
4		

PROJECT:
NEW SEMI-DETACHED RESIDENCE
223/225 WILSON STREET
KINGSTON, ONTARIO

DRAWING TITLE:
MAIN FLOOR PLAN
MAIN STRUCTURAL

SCALE: 1/4"=1'-0"
DATE: JUNE 24, 2024
DRAWN BY: NP/DN
CHECKED BY: NP/DN
DRAWING REF#: ND3234

LOT NUMBER:

DRAWING NO.	OF
A-4	6



Figure 1: Vacant lands at 225 Wilson Street, to be developed with two single-storey semi-detached homes. New driveways will provide access from Wilson Street.



Figures 2, 3, and 4: Adjacent land uses to the new proposed semi-detached homes at 225 Wilson Street. Single detached homes to the south, townhouses to the west, and the Evangel Pentecostal Church to the north.

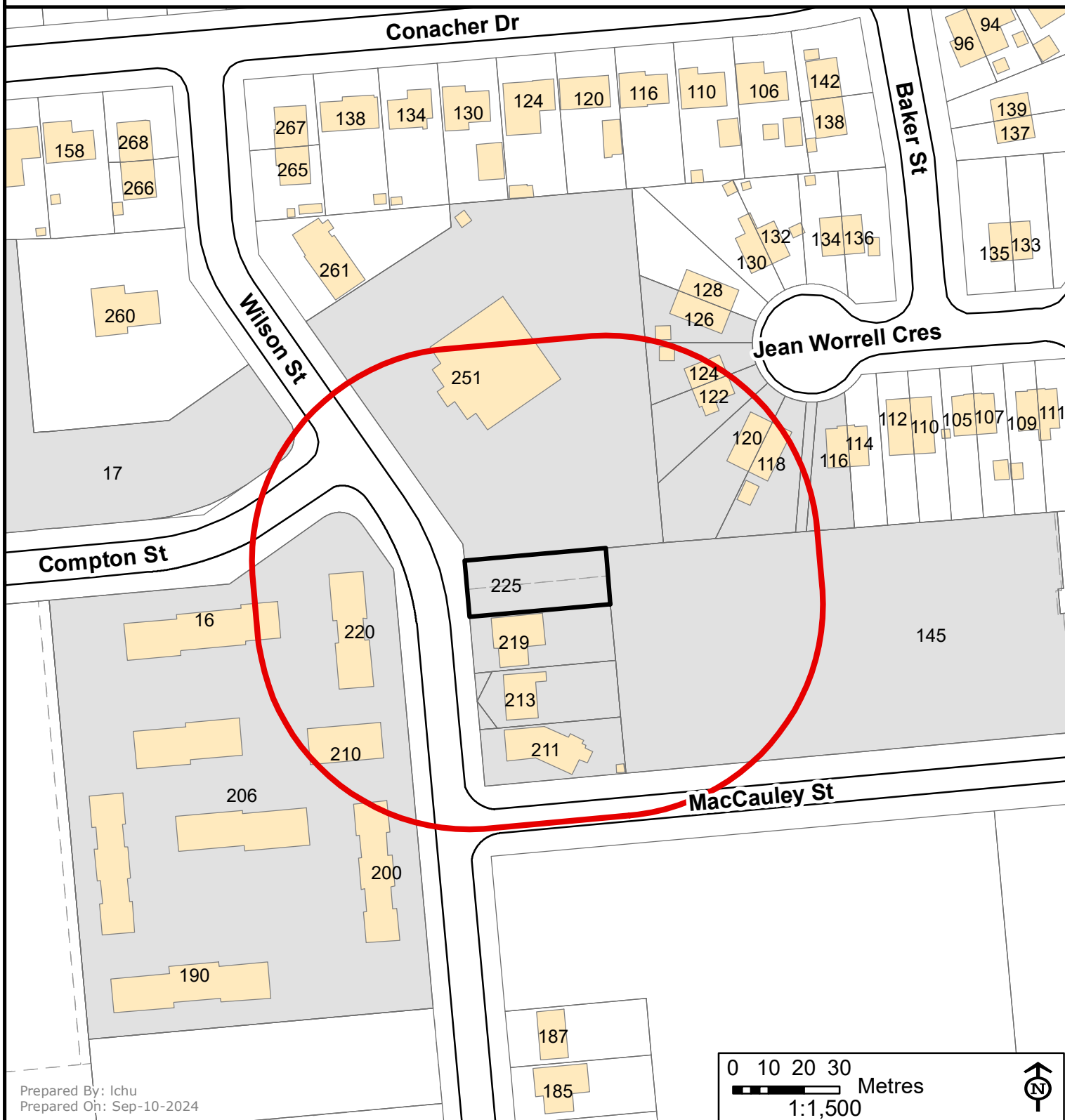


Planning Services

Delegated Authority Public Notice Notification Map

Address: 225 Wilson Street
File Number: D10-030-2024 &
D13-057-2024
Prepared On: Sep-10-2024

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



Prepared By: Ichu
Prepared On: Sep-10-2024

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