



**City of Kingston
Report to Planning Committee
Report Number PC-17-104**

To: Chair and Members of Planning Committee
From: Lanie Hurdle, Commissioner, Community Services
Resource Staff: Paige Agnew, Director, Planning, Building & Licensing Services
Date of Meeting: November 16, 2017
Subject: Public Meeting Report
File Number: D14-032-2017
Address: 268 Victoria Street
Application Type: Zoning By-Law Amendment
Owner: Samantha Wasserman & Jacqueline Shinfield
Applicant: Samantha Wasserman & Jacqueline Shinfield

Executive Summary:

The following is a Public Meeting report to the Planning Committee regarding an application for a zoning by-law amendment submitted by Samantha Wasserman & Jacqueline Shinfield on behalf of Samantha Wasserman & Jacqueline Shinfield, with respect to the subject site located at 268 Victoria Street. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

The applicant is proposing to rezone the subject property to support a consent application that proposes to sever the parcel into two separately conveyable parcels. The overall development plan proposes to retain the existing single family dwelling and detached accessory structure on the proposed retained parcel while constructing a two-family, semi-detached dwelling on the proposed severed parcel. Access to the proposed retained parcel is to remain from Victoria Street; the proposed severed parcel is to be accessed via Earl Street by two driveways. Two on-site parking spaces will be provided for the proposed semi-detached dwelling.

The subject property is located in a One-Family Dwelling and Two-Family Dwelling 'A4' Zone. Both one-family and two-family dwellings are permitted within the 'A4' zone; the applicant is

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seeking relief from specific performance standards for both the proposed retained and severed parcels.

On the proposed retained parcel, the applicant is seeking relief from the minimum lot area, minimum front yard setback, minimum exterior side yard setback, minimum landscaped open space requirement and maximum front yard porch projections to recognize the existing single family dwelling.

On the proposed severed parcel, the applicant is seeking relief from the minimum lot area, minimum front yard setback and maximum front yard porch projection to facilitate the construction of the proposed semi-detached dwelling.

An application for Consent has also been submitted in support of the proposed development.

The subject property is designated 'Residential' in the City of Kingston Official Plan and is zoned One-Family and Two-Family Dwelling 'A4' zone in the former City of Kingston Zoning By-Law Number 8499, as amended.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

Lanie Hurdle, Commissioner, Community Services

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

Gerard Hunt, Chief Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Desirée Kennedy, Chief Financial Officer & City Treasurer Not required

Denis Leger, Commissioner, Corporate & Emergency Services Not required

Mark Van Buren, Acting Commissioner, Transportation & Infrastructure Services Not required

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Options/Discussion:**Public Meeting Process**

Anyone who attends a Planning Committee Public Meeting may present an oral submission, and/or provide a written submission on the proposed application. Also, any person may make written submissions at any time before City Council makes a decision on the application.

If a person or public body does not make an oral submission at a Public Meeting, or does not make a written submission to the City of Kingston before a decision is made by Council, the person or public body is not entitled to appeal the decision of the City of Kingston to the Ontario Municipal Board and may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

The Planning Committee will consider a comprehensive report and recommendation from the Planning Division, respecting the subject application, at a future meeting. The Committee will make its recommendation to City Council at the meeting. The decision of City Council will be final unless appealed.

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

Jason Sands, Senior Planner
The Corporation of the City of Kingston
Planning, Building & Licensing Services
216 Ontario Street
Kingston, ON K7L 2Z3
613-546-4291 extension 3277
jwsands@cityofkingston.ca

Application and Submission

The applicant is proposing to amend the zoning by-law to facilitate a consent application of the subject property. The proposal seeks to retain the existing single-family dwelling and detached accessory building on the proposed retained parcel while permitting the construction of a semi-detached dwelling on the proposed severed parcel.

On the proposed retained parcel, the applicant is seeking relief from the minimum lot area, minimum front yard setback, minimum exterior side yard setback, minimum landscaped open space requirement and maximum front yard porch projections to recognize the existing single family dwelling.

On the proposed severed parcel, the applicant is seeking relief from the minimum lot area, minimum front yard setback and maximum front yard porch projection to facilitate the construction of the proposed semi-detached dwelling.

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

- Planning Justification
- Conceptual Site Plan (Exhibit F)
- Floor Plans & Architectural Elevations (Exhibit G)
- Proposed Survey (Exhibit H)
- Site Servicing & Stormwater Management Report
- Stage 1-2 Archaeological Assessment

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 the intersection of Victoria Street and Earl Street in the Sydenham District. The site is approximately 771 square metres in area with approximately 38 metres of road frontage on Earl Street and 20 metres of road frontage on Victoria Street. Earl Street is classed as a local road and Victoria Street is classed as a collector road. The subject property directly abuts Winston Churchill Public School, is within close proximity to Churchill Park, Victoria Park, Queen’s University and approximately 1.0 kilometres from the downtown Central Business District (Exhibit A – Key Map).

The subject property is currently developed with a single detached dwelling, detached garage and shed in the rear yard (Exhibit B – Neighbourhood Context). The applicant is proposing to retain the existing single-family dwelling and detached garage on the proposed retained parcel.

The subject property is surrounded predominantly by low density residential uses, including several single detached dwellings on Earl and Victoria Streets. Directly west of the subject property is Winston Churchill Public School. Opposite the subject property to the east is St. Mark’s Lutheran Church, located at 263 Earl Street. Kingston Collegiate & Vocational Institute (KCVI) and Queen’s University are located approximately 350 metres east of the subject property.

Provincial Policy Statement

The Provincial Policy Statement (2014) provides policy direction on matters of provincial interest related to land use planning and development, which are intended to be complemented by local policies addressing local interests.

The subject property is within the City of Kingston Urban Boundary, which is an area identified in the Official Plan for residential intensification. Applicable policies in the Provincial Policy Statement include, but are not limited to: policies which encourage development patterns that minimize land consumption and servicing costs, are transit-supportive (Sections 1.1.1; 1.1.3.2), policies regarding active transportation (Sections 1.6.6.1) and policies which encourage an appropriate range and mix of housing and commercial uses (Sections 1.1.1b) and 1.4).

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This proposal will be evaluated as part of the future comprehensive report in order to ensure it conforms to the policy direction in the Provincial Policy Statement (2014).

Official Plan Considerations

The subject property is designated 'Residential' in the City of Kingston Official Plan (Exhibit C – Official Plan). The predominant use within the 'Residential' designation is residential dwellings, including detached, semi-detached or duplex dwellings, townhouses, and apartments of various types, tenure and density that respond to a wide range of housing needs. In addition to the various forms of housing, community facilities such as schools and places of worship are also permitted. Small-scale, convenience commercial uses which support residential neighbourhoods and are compatible with the residential setting may also be permitted in the designation.

Section 2.2 of the Official Plan states that the City is divided into broad, structural elements which are intended to remain stable for the duration of the Plan. The subject property is within a Housing District. Housing Districts are generally planned to remain stable, but it is stated that they will continue to mature and adapt as the City evolves (Section 2.2.5). Re-investment and upgrading are encouraged through minor infilling and development that compatibly integrate with the prevailing built form found in the neighbourhood.

The Official Plan identifies that it is the intent of the City to increase urban residential density and that residential intensification targets are to be achieved through larger scale development; the expansion or conversion of existing buildings; the redevelopment of vacant, underutilized or brownfield sites; and infill developments (Section 2.4.5). Infill is defined in the Official Plan as "the development or redevelopment of a vacant or underutilized lot, or a consolidated number of lots. Infill development encourages intensification and sustainability".

The Official Plan provides guidance and criteria with respect to assessing the potential for adverse effects, and the functionality of a development. The following adverse effects, outlined in section 2.7.3, must be eliminated or minimized in any land use change, including changes to residential density:

- a. Shadowing;
- b. Loss of privacy due to intrusive overlook;
- c. Increased levels of noise, odour, dust or vibration;
- d. Increased and uncomfortable wind speed;
- e. Increased level of traffic that can disrupt the intended function or amenity of a use or area;
- f. Environmental damage or degradation;
- g. Diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;
- h. Reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, historic quality or setting;
- i. Visual intrusion that disrupts the streetscape, building or cultural heritage resource;
- j. Architectural incompatibility in terms of scale, style, massing and colour; and
- k. The loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.

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Section 3.3.B of the Official Plan outlines the parameters and policies with respect to medium density residential development. The density range for medium density extends from 30 to 75 units per net hectare. The proposed development yields differing density values dependant on the way in which the development is calculated. The overall development, 3 dwelling units on approximately 771 square metres of land equates to 39 dwelling units per net hectare, the two dwelling units proposed on the severed parcel equate to approximately 54 dwelling units per net hectare while the single-family dwelling on the proposed retained parcel yields a density of approximately 24 dwelling units per net hectare. Therefore, the overall development would be considered medium density. According to Section 3.3.B.2, new medium density residential land uses may be approved through rezoning, subject to:

- a. Site Plan Control review;
- b. Availability of adequate municipal services;
- c. Provision of adequate on-site parking for each residential unit and for visitors, either in surface parking areas, individual driveways and garages, or in above or below grade parking structures, as the City deems appropriate; and
- d. Protection of adjacent low density residential areas from adverse effects such as overshadowing and excessive traffic.

Zoning By-Law Considerations

The subject property is located within a One-Family Dwelling and Two-Family Dwelling 'A4' Zone in Zoning By-Law Number 8499, as amended (Exhibit D – Zoning By-Law Number 8499, Map 30). The uses permitted in the One-Family Dwelling and Two-Family Dwelling 'A4' Zone include one-family dwellings, two-family dwellings, and various institutional uses such as community halls and churches.

The applicant is proposing to redevelop the subject property by dividing the existing parcel into two separately conveyable parcels. The existing single-family dwelling and detached garage are proposed to be retained and located entirely on the retained parcel. The applicant is proposing to construct a semi-detached dwelling on the proposed severed parcel. The proposed semi-detached dwelling is to contain a total of ten (10) bedrooms, be accessed via Earl Street, accommodate two on-site parking spaces and private amenity space in the rear yard.

As both One-Family and Two-Family dwellings are permitted within the 'A4' zone, the proposed zoning by-law amendment relates to relief with respect to performance standards on each parcel and not use. The overall development plan includes severing the subject property into two separately conveyable parcels.

On the proposed retained parcel, the applicant is seeking relief from the minimum lot area, minimum front yard setback, minimum exterior side yard setback, minimum landscaped open space requirement and maximum front yard porch projections to recognize the existing single family dwelling.

On the proposed severed parcel, the applicant is seeking relief from the minimum lot area, minimum front yard setback and maximum front yard porch projection to facilitate the construction of the proposed semi-detached dwelling.

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Technical Circulation Process

The application has been circulated to a number of internal departments and external agencies for review and comments. The responses to the technical circulation will be addressed in the technical review and included in the comprehensive report for consideration at a future Planning Committee meeting.

Existing Policy/By-Law:

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

Provincial*Planning Act*

Provincial Policy Statement, 2014

Municipal

City of Kingston Official Plan

Zoning By-Law Number 8499

Notice Provisions:

Pursuant to the requirements of the *Planning Act*, a notice of the Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to all 95 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in The Kingston Whig-Standard on November 7, 2017.

Accessibility Considerations:

Not applicable

Financial Considerations:

Not applicable

Contacts:

Paige Agnew, Director, Planning, Building & Licensing Services 613-546-4291 extension 3252

Marnie Venditti, Manager, Development Approvals 613-546-4291 extension 3256

Jason Sands, Senior Planner 613-546-4291 extension 3277

Other City of Kingston Staff Consulted:

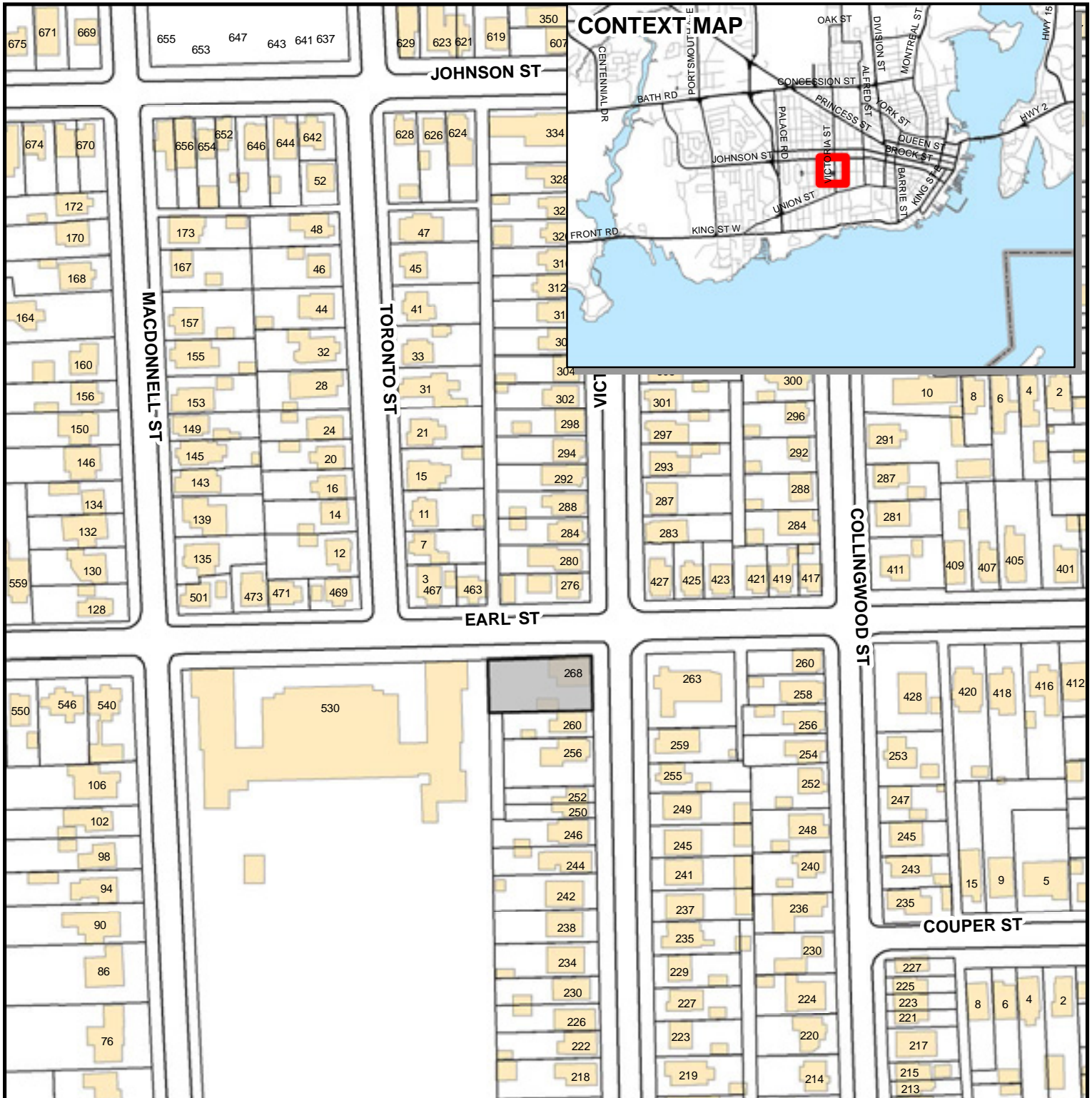
Not applicable

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Exhibits Attached:

- | | |
|-----------|-----------------------------------|
| Exhibit A | Key Map |
| Exhibit B | Neighbourhood Context (2015) |
| Exhibit C | Official Plan, Land Use |
| Exhibit D | Zoning By-Law Number 8499, Map 30 |
| Exhibit E | Public Notice Notification Map |
| Exhibit F | Proposed Site Plan |
| Exhibit G | Proposed Floor Plans & Elevations |
| Exhibit H | Proposed Survey |





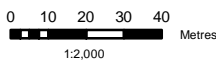
Planning, Building & Licensing Services
a department of Community Services

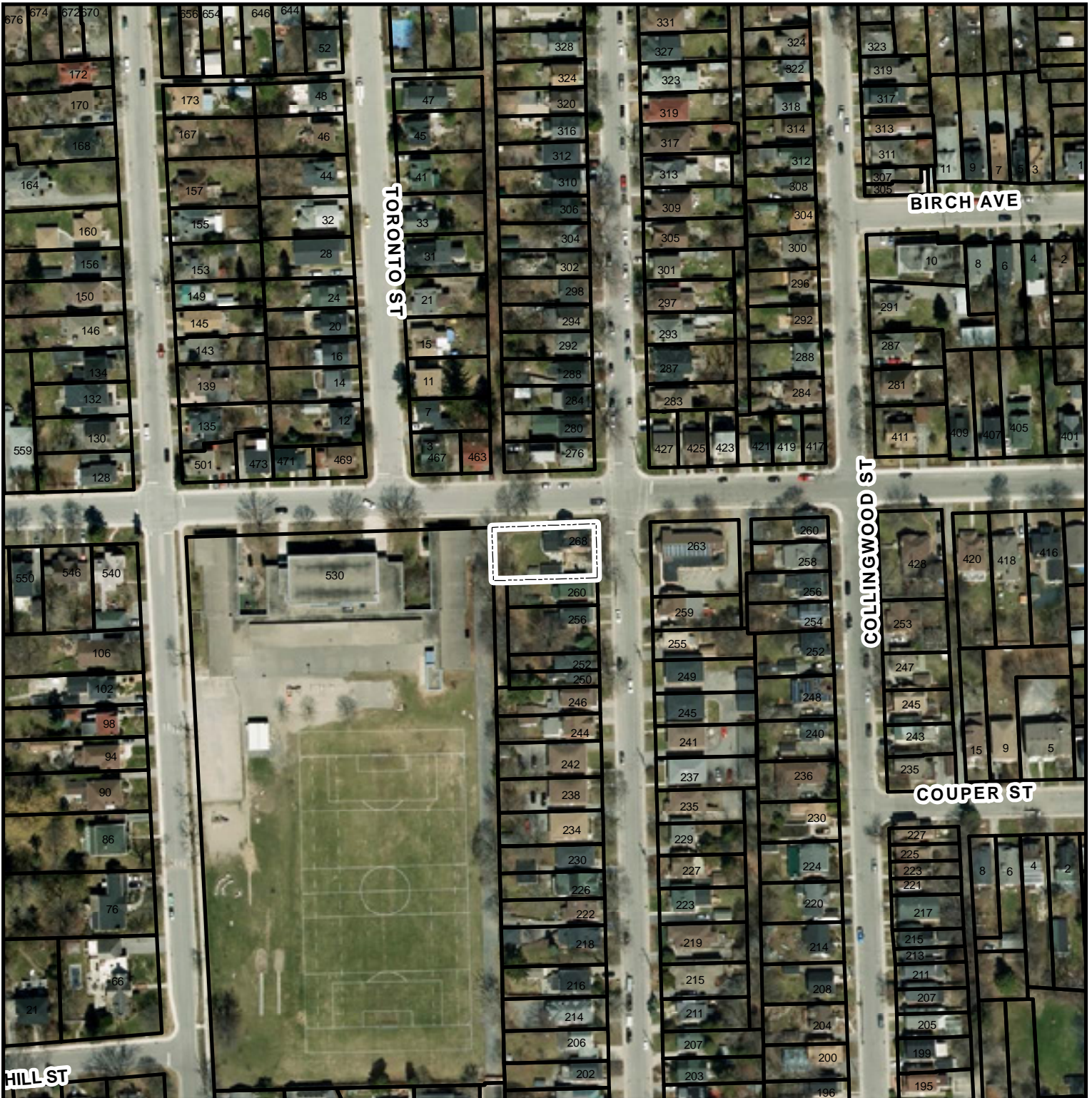
PLANNING COMMITTEE
KEY MAP

Applicant: Samantha Wasserman & Jacqueline Shinfield
Owner: Samantha Wasserman & Jacqueline Shinfield
File Number: D14-032-2017
Address: 268 Victoria Street

LEGEND

-  Subject Property
-  Property Boundaries







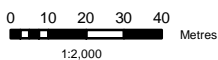
Planning, Building & Licensing Services
 a department of
 Community Services

PLANNING COMMITTEE
NEIGHBOURHOOD CONTEXT (2015)

Applicant: Samantha Wasserman & Jacqueline Shinfield
 Owner: Samantha Wasserman & Jacqueline Shinfield
 File Number: D14-032-2017
 Address: 268 Victoria Street

LEGEND

-  Subject Property
-  Property Boundaries







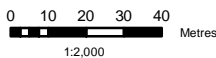
Planning, Building & Licensing Services
a department of
Community Services

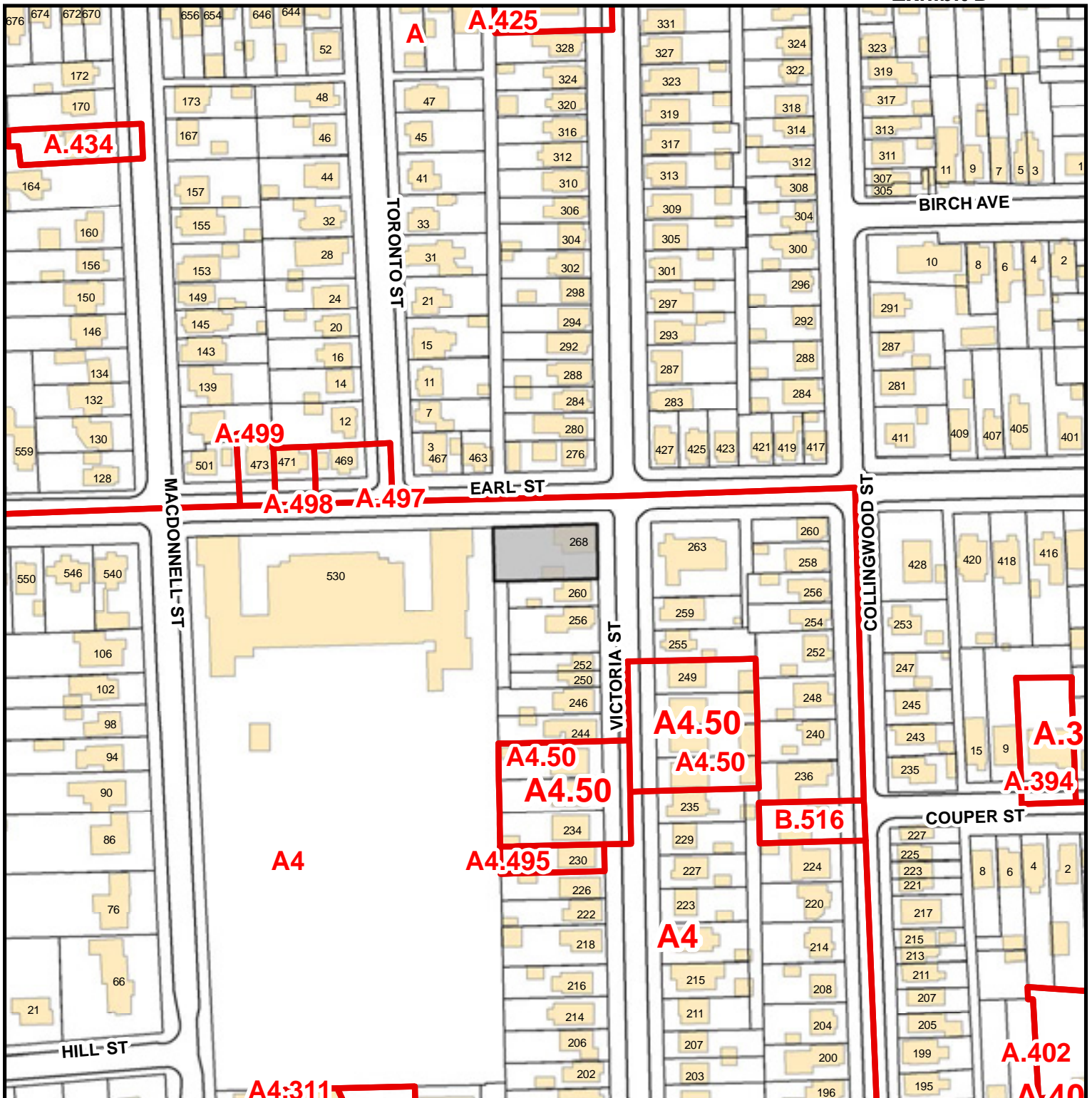
PLANNING COMMITTEE
OFFICIAL PLAN, Land Use

Applicant: Samantha Wasserman & Jacqueline Shinfield
Owner: Samantha Wasserman & Jacqueline Shinfield
File Number: D14-032-2017
Address: 268 Victoria Street

LEGEND

-  Subject Property
-  Residential



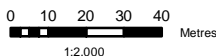


PLANNING COMMITTEE
ZONING BY-LAW 8499, Map 30

Applicant: Samantha Wasserman & Jacqueline Shinfield
 Owner: Samantha Wasserman & Jacqueline Shinfield
 File Number: D14-032-2017
 Address: 268 Victoria Street

LEGEND

- Consolidated Zoning
- Subject Property
- Property Boundaries





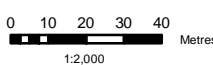
Planning, Building & Licensing Services
a department of Community Services

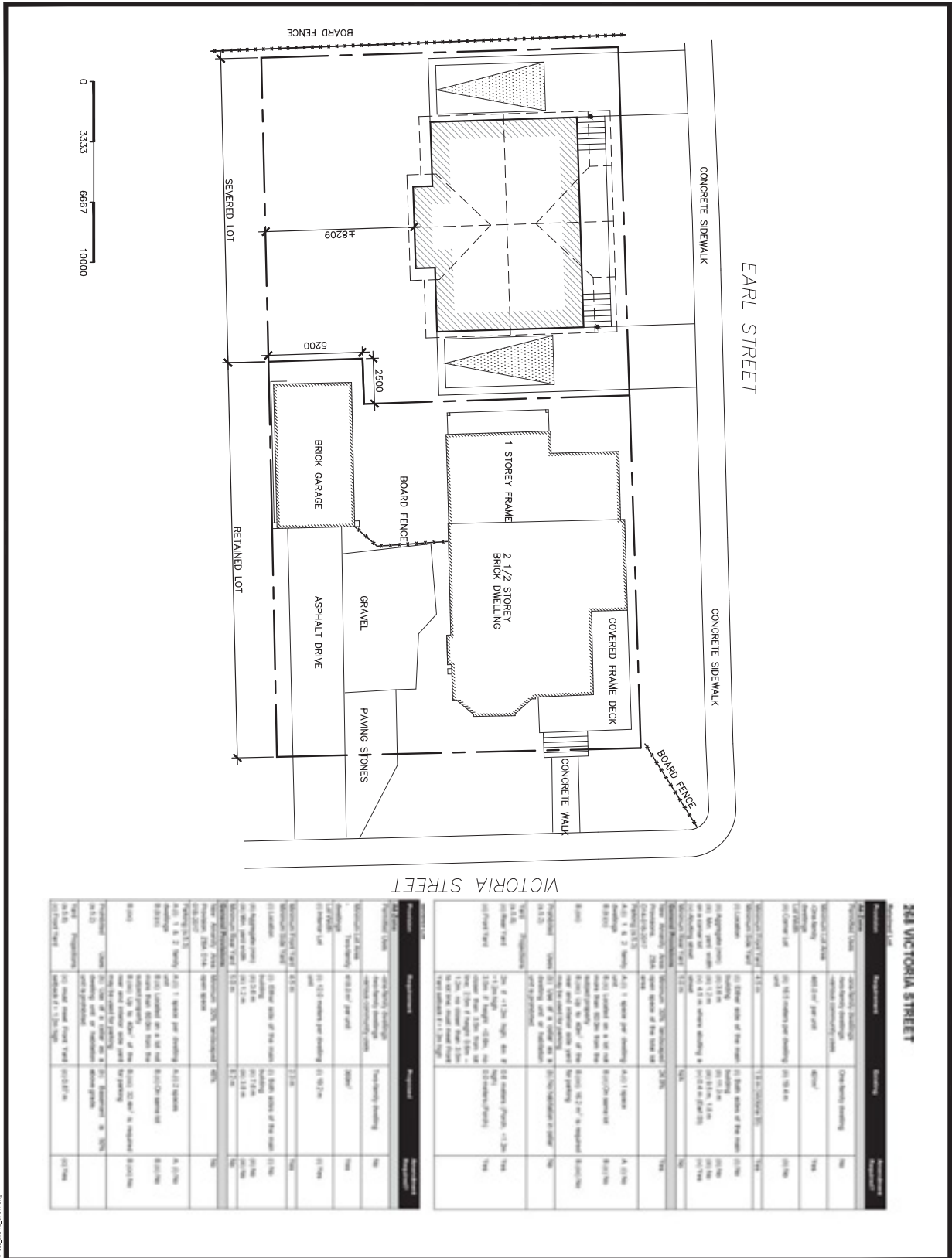
PLANNING COMMITTEE
PUBLIC NOTICE NOTIFICATION MAP

Applicant: Samantha Wasserman & Jacqueline Shinfield
Owner: Samantha Wasserman & Jacqueline Shinfield
File Number: D14-032-2017
Address: 268 Victoria Street

LEGEND

- Subject Property
- 120m Public Notice Boundary
- Property Boundaries
- 95 Properties in Receipt of Notice





268 VICTORIA STREET

Item No.	Description	Quantity	Unit	Notes
1	Excavate and backfill 100mm compacted fill	100	m ³	For concrete slab
2	Formwork for concrete slab	100	m ²	15mm ply
3	Reinforcement for concrete slab	100	m ²	10mm bars
4	Concrete slab	100	m ²	100mm thick
5	Asphalt paving	100	m ²	75mm compacted subgrade
6	Gravel paving	100	m ²	75mm compacted subgrade
7	Board fence	100	m	1.8m high
8	Concrete sidewalk	100	m	100mm thick
9	Asphalt drive	100	m ²	75mm compacted subgrade
10	Gravel	100	m ²	75mm compacted subgrade
11	Paving stones	100	m ²	75mm compacted subgrade
12	Board fence	100	m	1.8m high
13	Concrete sidewalk	100	m	100mm thick
14	Asphalt paving	100	m ²	75mm compacted subgrade
15	Gravel paving	100	m ²	75mm compacted subgrade
16	Paving stones	100	m ²	75mm compacted subgrade
17	Board fence	100	m	1.8m high
18	Concrete sidewalk	100	m	100mm thick
19	Asphalt paving	100	m ²	75mm compacted subgrade
20	Gravel paving	100	m ²	75mm compacted subgrade
21	Paving stones	100	m ²	75mm compacted subgrade
22	Board fence	100	m	1.8m high
23	Concrete sidewalk	100	m	100mm thick
24	Asphalt paving	100	m ²	75mm compacted subgrade
25	Gravel paving	100	m ²	75mm compacted subgrade
26	Paving stones	100	m ²	75mm compacted subgrade
27	Board fence	100	m	1.8m high
28	Concrete sidewalk	100	m	100mm thick
29	Asphalt paving	100	m ²	75mm compacted subgrade
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Project
268 Victoria St Duplex

Location
268 Victoria St

Drawing
Conceptual Site Plan

Client
Ms. Samantha Wasserman
Ms. Jacqueline Shinfield.

sza
Shoalts and Zaback Architects Ltd

Certificate of Practice Number: 2438

4 Cataragui Street, Suite 206, Kingston, ON K7K 1Z7
tel. 613 541 0776 fax. 613 541 0804
mail@szarch.com www.szarch.com

Drawn by AM Date 2017-08-09

File Name 17058_268 Vic_SP011 Scale 1:200

Client Project # Drawing Number

Project # 17058 Revision # A001





View 1
268 Victoria St Duplex



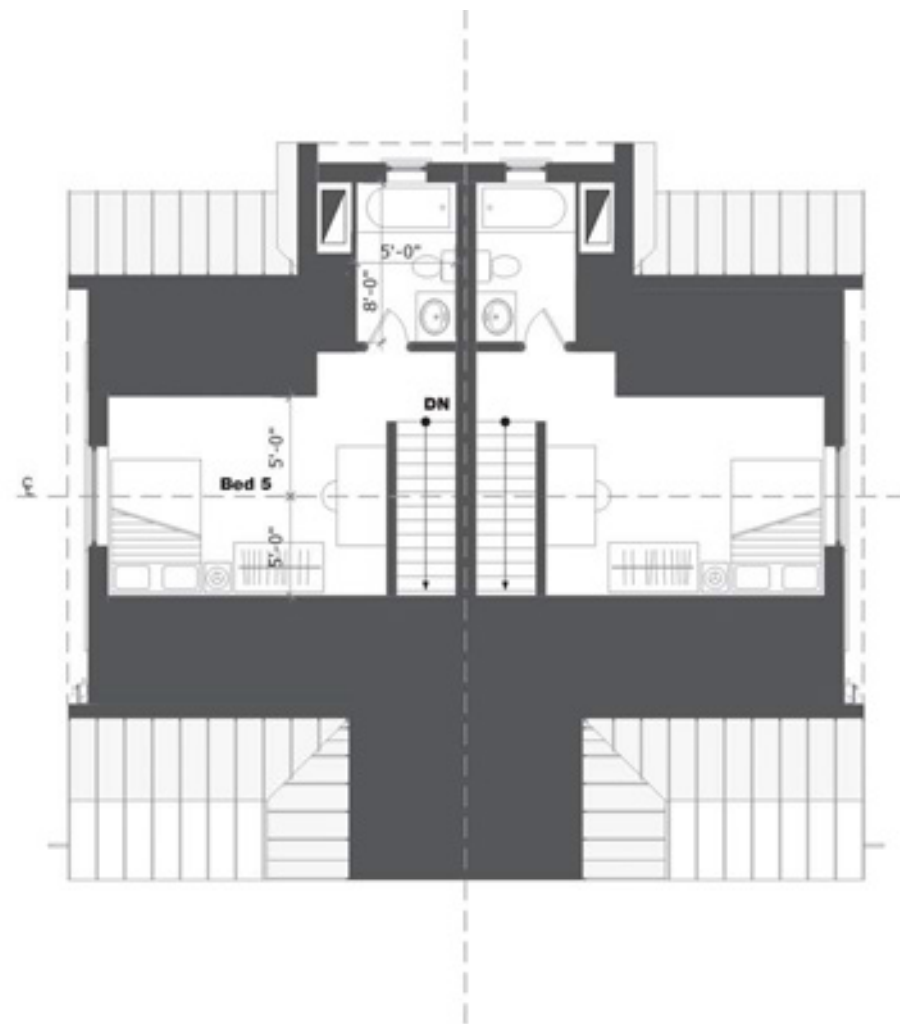
North Elevation
268 Victoria St Apt BldgA



1 Basement Floor Plan
1:75



2 First Floor Plan
1:75



1 Second Floor Plan
1:75

2 Third Floor Plan
1:75

