

**From:** Stroud,Peter  
**Sent:** Tuesday, October 31, 2017 3:43 PM  
**To:** laura knap; Sands,Jason; Venditti,Marnie  
**Cc:** Meredith McDonnell; Don [REDACTED]; Neil Donnelly; ken ohtake; Sue Wiercinski  
**Subject:** Re: request for clarification re: 268 Victoria Street (D14-032-2017)

Awesome letter Laura. It will be interesting to see what responses we receive from staff as time passes.

Peter

Sent from my Samsung Galaxy smartphone.

----- Original message -----

**From:** laura knap [REDACTED]  
**Date:** 2017-10-31 3:22 PM (GMT-05:00)  
**To:** "Sands,Jason" <[jwsands@cityofkingston.ca](mailto:jwsands@cityofkingston.ca)>, "Venditti,Marnie" <[MVenditti@cityofkingston.ca](mailto:MVenditti@cityofkingston.ca)>  
**Cc:** "Stroud,Peter" <[pstroud@cityofkingston.ca](mailto:pstroud@cityofkingston.ca)>, Meredith McDonnell [REDACTED], "Don [REDACTED] Neil Donnelly [REDACTED]" >, ken ohtake [REDACTED] >, Sue Wiercinski <[REDACTED]>  
**Subject:** Re: request for clarification re: 268 Victoria Street (D14-032-2017)

Hello Jason,

Thank you for your clarifications to date.

I suppose I was expecting, in response to my question: "Do current planning documents support medium density development on this site?" a simple yes or no answer, which I now realize may not be possible. I have mulled over your responses and I think what you are saying instead is "we don't yet know - that will be determined through the application review process." Is this correct? Would staff be able to answer this question at the Nov 16th meeting? Or would the answer only be available after their report is complete? (ie at the meeting where a staff recommendation is presented to council)? Thank you in advance for your advice.

You may at this point be aware that there is some significant neighbourhood opposition to this proposal. Many people who live nearby feel that the proposed development does not seem appropriate in the neighbourhood. I understand that, at this time, City staff have not taken a position on the proposal.

I have been trying to understand and contextualize it from a policy perspective, to try to put words to the "gut feeling" people have that it doesn't fit, and to understand where such a proposal sits in relation to the planning vision for the city, which has been an object of close attention and involvement for the SDA for many years. I have arrived at a number of concerns, which I would like to submit here as I feel there may not be sufficient time to address them at the public meeting. Furthermore, I do not see adequate justification to grant the requested variances. I do see some strong reasons why the proposed development should not be allowed to proceed.

I have a number of concerns about details of the application:

Regarding the retained property:

- It is unclear to me why the minimum required 5m rear yard stipulated in the Zoning Bylaw for A4 Zone is declared "Not applicable".
- The new "landscaped open area" provision in the Zoning Bylaw was established to provide a new minimum threshold. While the proposal accommodates nearly enough on the retained lot, 24.9% instead of 30%, it is disappointing to see attempts to "chip away" at this minimum requirement. The line has been drawn and should be respected.
- Proposed lot area is only 86% of the minimum required.

Regarding the severed lot:

- Lot is grossly less than minimum area required in the zoning bylaw: 369 m<sup>2</sup> instead of 836 m<sup>2</sup>. It is not clear what could justify such a significant bylaw amendment.
- The report cites area figures for the amount of landscaped open space provided, but the landscape areas are not identified on plans. As this is a new requirement, citizens are still trying to understand exactly what constitutes "landscaped open space". Does some amount of the driveway / parking area count? The site plan shows only one parking space beside each house, but the architect's rendering shows additional parking extending into the rear yard. Also, the legal site plan shows a board fence that extends over the property line, into the laneway at the west of the property. Is this area being counted?
- The Fotenn report states that "bicycle parking can be securely accommodated in-unit", but there is no storage space shown on the plans and it is not indicated where this bike parking might be.
- The plans for the duplex do not include any consideration of garbage handling /storage.

General comments:

Perhaps the most troubling aspect of the application is the attempt to have the development considered low density, and therefore exempt from site plan control, when the density numbers clearly identify it as medium density project. This shows a lack of understanding of the site problems that are created in neighbourhoods when density increases and site services like garbage and parking are inadequately planned and accommodated, and subject to no planning oversight. It is a problem that neighbourhoods surrounding Queen's campus have become all too familiar with. Where these areas have been permitted to densify in an ad-hoc manner over the years, garbage is a constant concern, and many yards simply become defacto parking lots, often even with extra spots being created in order to be rented to non-tenants.

Also of great concern is simply the density increase on the site. The application cites the 2014 Provincial Policy Statement and notes that it encourages infill and densification within certain parameters. One of the metrics cited in the PPS to determine whether a proposed densification is appropriate is its compatibility with existing neighbourhood densities. It is clear that the proposed lot severance and infill development on this property represent a significant leap in density on the site, and vis-a-vis neighbouring sites. The proposed less-than-minimum lot areas also grossly overstep zoning bylaw requirements.

Densification indeed has a place in our urban areas but it is not universally appropriate and must be limited if our residential neighbourhoods are to remain stable. Residential neighbourhood stability is a clear intention of the new Official Plan. With the ongoing expansion of Queen's university, surrounding neighbourhoods like this one are under intense pressure, often from outside economic interests, to accommodate ever more residents. In other words, this

neighbourhood is already facing significant densification pressure that it is struggling to accommodate. Notably, there are several significant ways that permitted or "as of right" incremental densification is already occurring in this area, to the point that neighbours in this area are frustrated and feel their streets are changing beyond recognition. **If the stability of this neighbourhood is to be respected, it cannot sustain further incremental intensification.** The factors already contributing to incremental intensification in this area include:

1. An ongoing trend whereby previously owner-occupied homes are being converted to by-the-room rental properties. I understand, for example, that the existing house at 268 Victoria already accommodates a 12 bedroom rental. While this change of use occurs at the discretion of landowners and is not regulated by planning, it must be recognized as a trend that has long been occurring and extending outwards from Queen's campus as student population expands, increasing density of habitation and exerting a very significant and visible effect on neighbourhoods.

2. While the Zoning Bylaw has recently been amended to remove the provision for as-of-right conversions of one unit to two unit properties, the province has also introduced the universal mandate to allow the addition / subdivision of secondary suites, as a mechanism to facilitate small-scale intensification throughout cities.

3. While the Zoning Bylaw has recently been amended to regulate the minimum amount of landscaped open space required on a site, large lot areas in this type of neighbourhood mean that significant additions to building areas are often still possible. Given the population pressure in this area, additions are by-and-large constructed to allow for the accommodation of more people - in other words, increased densification.

Given these factors that are already allowing for incremental density increase in this neighbourhood, it is unnecessary to take extra measures in order to achieve the densification goals of the 2014 Provincial Policy Statement, and therefore no justification to amend the Zoning Bylaw to allow this particular application to be built. Also, permitting further ad-hoc intensification projects in this neighbourhood is out of keeping with the City's planning vision for stable residential neighbourhoods.

Respectfully submitted,

Laura Knap  
79 William St  
Sydenham District Association Chair

On Wed, Oct 25, 2017 at 2:49 PM, Sands,Jason <[jwsands@cityofkingston.ca](mailto:jwsands@cityofkingston.ca)> wrote:

Hello Laura,

I apologize for any confusion that I may have caused from the email below. With respect to the above referenced Zoning By-law Amendment application, the applicant is proposing to construct a semi-detached dwelling (2 dwelling units) on the proposed severed parcel. The proposed site-specific zoning for the proposed severed parcel would limit the applicant to the construction a semi-detached dwelling (2 dwelling units) on the proposed severed parcel.

With respect to density, 2 dwelling units on the proposed severed parcel (369 square metres) = 54 dwelling units per net hectare. In accordance with Section 3.3.B.1 of the City of Kingston Official Plan, a density of 54 dwelling units per net hectare is considered medium density residential.

I hope this provides clarity. Please note that the applicant's presentation at the November 16<sup>th</sup> Planning Committee meeting will go into greater detail in regards to the overall development plan on the subject property.

If there are any additional questions I can address in advance of the meeting, please do not hesitate to be in contact.

Regards,



**Jason Sands, M.P.I.**

Senior Planner

Planning, Building & Licensing Services

[City of Kingston](#)

[1211 John Counter Boulevard](#)



[216 Ontario Street Kingston, ON K7L 2Z3](#)

[613 546-4291 Extension 3277](#)

[jwsands@cityofkingston.ca](mailto:jwsands@cityofkingston.ca)

**From:** laura knap [mailto:████████████████████]

**Sent:** Wednesday, October 25, 2017 1:32 PM

**To:** Sands,Jason

**Cc:** Venditti,Marnie

**Subject:** Re: request for clarification re: 268 Victoria Street (D14-032-2017)

Thank you for your reply, Jason.

With respect to density, I feel my question remains outstanding. No matter which method of density calculation is used, one (or two) "medium density" lots are created. Do current planning documents support medium density development on this site?

Regarding another point: "Section 7.0 of the Planning Justification submitted in support of the proposed Zoning By-law Amendment, notes that the proposed severed parcel be zoned 'A4.XX2' and the minimum Lot Area (one-family dwelling) be 369 square meters. " Is it possible to consider a duplex as a one-family dwelling? This is confusing to me.

Sorry to pester you with questions, I am just really trying to wrap my head around this application.

Thank you again.

Laura Knap

[79 William St](#)

[On](#) Tue, Oct 24, 2017 at 5:00 PM, Sands,Jason <[jwsands@cityofkingston.ca](mailto:jwsands@cityofkingston.ca)> wrote:

Hello,

Thank you for your email regarding the above referenced Zoning By-law Amendment application. The correspondence below has been forwarded to the Clerks department to ensure it is a part of the public record and available for members of Planning Committee to review at the upcoming November 16<sup>th</sup>, 2017 meeting.

According to Section 2.1 of the Planning Justification submitted in support of the proposed Zoning By-law Amendment; 'should a future severance along the common party wall be pursued for the proposed semi-detached dwelling, the proposed parking and amenity area orientation will ensure that each lot is capable of providing adequate on-site parking and amenity area'.

Section 7.0 of the Planning Justification submitted in support of the proposed Zoning By-law Amendment, notes that the proposed severed parcel be zoned 'A4.XX2' and the minimum Lot Area (one-family dwelling) be 369 square meters. Therefore, the proposed site-specific zone as requested in the Planning Justification would require the applicant to apply for an additional Zoning By-law Amendment to sever the proposed semi-detached building along the common party wall.

With respect to density;

- 1 dwelling unit on the existing 771 square metre parcel = 13 dwelling units per net hectare

- 3 dwelling units on the 771 square metre parcel = 39 dwelling units per net hectare
- 1 dwelling unit on the proposed retained parcel (401 sqm) = 25 dwelling units per net hectare
- 2 dwelling units on the proposed severed parcel (369 sqm) = 54 dwelling units per net hectare

As you can see from above, depending on the way in which the density is calculated for the proposed development, a different measure is yielded. According to Section 3.3.B.1 of the City of Kingston Official Plan, residential densities between 37.5 up to 75 dwelling units per net hectare is considered medium density, whereas anything less than 37.5 dwelling units per net hectare is considered low density residential development.

At this time, staff continue to work through the 'Technical Review Process' of the application. The applicant will provide an overview of the proposed development to Staff, members of Planning Committee and members of the Public at the Public Meeting scheduled for November 16<sup>th</sup>, 2017 – see notice attached. Questions may be asked of staff or the applicant at such meeting to better understand the proposal.

In the meantime, if there are any additional questions I can address, please do not hesitate to be in contact.

Regards,



**Jason Sands, M.P.I.**

Senior Planner

Planning, Building & Licensing Services

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**From:** laura knap [REDACTED]  
**Sent:** Tuesday, October 24, 2017 2:47 PM  
**To:** Sands,Jason  
**Subject:** request for clarification re: 268 Victoria Street (D14-032-2017)

Hello Mr Sands,

I'm writing with regards to the application for Zoning Bylaw Amendment at 268 Victoria Street (D14-032-2017).

First, I want to make sure I understand correctly: that in the proposal, both the retained lot and the severed lot are smaller than the minimum required by the Zoning Bylaw. Furthermore, the applicant states "A future severance to divide the semi-detached dwelling along the common party wall may also be pursued and is intended to be enabled through the proposed zoning by-law amendment."

So, in other words, this amendment also seeks to allow the severed lot to be severed in half, making two severed lots about half as big again?

Could you please correct me if I am understanding this incorrectly.

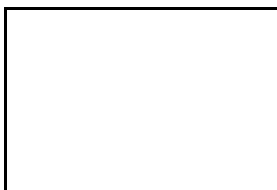
On another point, the applicant suggests that the project should be considered low density even though it meets the criteria for medium density. Without commenting on the appropriateness of this specific request, could you comment, in general, on whether medium density development is considered by our current Zoning / OP documents to be appropriate for this site?

Thank you,

Laura Knap

[79 William St.](#)

Sydenham District Association Chair



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