



**City of Kingston
Report to Committee of Adjustment
Report Number COA-20-003**

To: Chair and Members of Committee of Adjustment
From: James Bar, Senior Planner
Date of Meeting: April 20, 2020
Application for: Minor Variance
File Number: D13-050-2019
Address: 14 Garrett Street
Owner: 14 Garrett Street GP Ltd.
Applicant: Highpoint Development and IBI Group Incorporated

Council Strategic Plan Alignment:

Theme: 2. Increase housing affordability

Goal: 2.1 Pursue development of all types of housing city-wide through intensification and land use policies.

The proposal would add 18 new residential units, consisting of a mix of 2 and 3 bedroom units in the centre of the city near active transportation, transit, commercial, and employment uses.

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variances for the property located at 14 Garrett Street. The applicant is proposing to construct a 4-storey mixed use building containing 18 residential units and 84 square metres of ground floor commercial, supported by 14 on-site parking spaces and 18 on-site bicycle parking spaces.

The applicant is seeking relief from several provisions of the zoning by-law to support the development that include: a reduction to the bicycle parking space width; a reduction to the residential parking ratio requirements; a reduction to the length of a Type A barrier free accessible parking space and access aisle; a reduction to the minimum rear yard setback for the main building and bicycle parking structure; a reduction to the minimum interior side yard

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setback; an increase in the maximum permitted density; permitting sections of the building within the angular plane; and permitting architectural details above the height limit as approved through a Site Plan Control agreement.

The requested minor variances are consistent with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The requested minor variances are desirable for the appropriate development or use of the land, building or structure and are minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval.

Recommendation:

That the minor variance application, File Number D13-050-2019, for the property located at 14 Garrett Street to: reduce the residential parking ratio requirements; reduce the length of a Type A barrier free accessible parking space and access aisle, reduce the minimum rear yard setback for the main building and bicycle parking structure; reduce the minimum interior side yard setback; increase the maximum permitted density; permit sections of the building within the angular plane; and permit architectural details above the height limit as approved through a Site Plan Control agreement, be approved.

Variance Number 1:

By-Law Number 8499: 4.7A – Bicycle parking space width (minimum)
Requirement: 0.6 metres
Proposed: 0.3 metres
Variance Requested: 0.3 metres

Variance Number 2:

By-Law Number 8499: 5.3A(a)(ii)(1) – Parking spaces per residential unit
Requirement: 1 space per residential unit
Proposed: 0.61 spaces per residential unit
Variance Requested: 0.39 spaces per residential unit

Variance Number 3:

By-Law Number 8499: 5.3A(d)(ii)(a) Barrier free parking space length (Type A)(minimum)
Requirement: 6 metres
Proposed: 5.2 metres
Variance Requested: 0.8 metres

Variance Number 4:

By-Law Number 8499: 5.3A(d)(ii)(c) Barrier free parking aisle length (minimum)
Requirement: 6 metres
Proposed: 5.2 metres
Variance Requested: 0.8 metres

Variance Number 5:

By-Law Number 8499: 20.3(b)(ii) Rear yard setback (minimum) (main building)

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Requirement: 7.1 metres (based on ½ height of 14.15 metres)
Proposed: 6 metres
Variance Requested: 1.1 metres

Variance Number 6:
By-Law Number 8499: 20.3(b)(ii) Rear yard setback (minimum) (bicycle parking structure)
Requirement: 1.05 metres (based on ½ height of 2.1 metres)
Proposed: 0 metres
Variance Requested: 1.05 metres

Variance Number 7:
By-Law Number 8499: 20.3(b)(iii) Interior side yard setback (minimum)
Requirement: 3.6 metres
Proposed: 1.2 metres on the east side, 3.2 metres on the west side
Variance Requested: 2.4 metres on the east side, 0.4 metres on the west side

Variance Number 8:
By-Law Number 8499: 20.3(h) Density (maximum)
Requirement: 123 dwelling units per net hectare
Proposed: 196 dwelling units per net hectare
Variance Requested: 73 dwelling units per net hectare

Variance Number 9:
By-Law Number 8499: 482(g) Height along angular plane where adjacent to a residential zone (maximum)
Requirement: Within a 45 degree angular plane measure from a height of 7 metres at the property line
Proposed: 3.62 metres for west interior side yard, 1.15 metres for rear yard
Variance Requested: 3.62 metres for west interior side yard, 1.15 metres for rear yard

Variance Number 10:
By-Law Number 8499: 5.14 Structures permitted above the height limit
Requirement: The height regulations herein set forth shall not apply to church spires, church belfries, chimneys, water tanks, elevator enclosures or penthouses of one storey only occupying in the aggregate less than 10 per cent of the area of the roof of the building on which they are located, nor shall they apply to silos, grain elevators, sugar refineries, scenery lofts, flagpoles, radio and television transmitters.
Proposed: Allow architectural details such as the parapet, railings, or other elements required to support the rooftop amenity area to be constructed above the height limited as approved through a Site Plan Control agreement.
Variance Requested: Allow architectural details such as the parapet, railings, or other elements required to support the rooftop amenity area to be

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constructed above the height limited as approved through a Site Plan Control agreement.

Approval of the foregoing variance shall be subject to the following conditions:

1. Limitation

That the approved variance(s) applies only to 14 Garrett Street 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 Division a copy of the decision of the Committee of Adjustment, together with a copy of the approved drawings, when they make an 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 Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7132) and the City of Kingston's Planning Service (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 Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8404), the Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7132), and the City of Kingston's Planning Service (613-546-4291, extension 3180) must be immediately contacted.

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Authorizing Signatures:

James Bar, Senior Planner

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

Paige Agnew, Commissioner, Community Services

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Options/Discussion:

On October 31, 2019, a minor variance application was submitted by Highpoint Development and IBI Group Incorporated, on behalf of the owner, 14 Garrett Street GP Ltd., with respect to the property located at 14 Garrett Street (Exhibit A – Key Map). The variance seeks relief to the residential parking ratio requirements; reduce the length of a Type A barrier free accessible parking space and access aisle, reduce the minimum rear yard setback for the main building and bicycle parking structure; reduce the minimum interior side yard setback; increase the maximum permitted density; permit sections of the building within the angular plane; and permitting architectural details above the height limit as approved through a Site Plan Control agreement.

The proposed building is a 4-storey, mixed use commercial residential midrise building. The buildings construction is proposed to be a combination concrete base with wood frame construction on floors 2-4. A total of 18 residential units are proposed consisting of a mix of 2 and 3 bedroom units. At grade, 84 square metres of commercial will front onto Garrett Street. A total of 14 vehicular parking spaces and 18 bicycle parking spaces are proposed at grade located behind the building. Amenity space is proposed as a mix of both private amenity space (balconies) and communal amenity space located on the top of the building.

The site is a smaller development site, and the last property on the south side of Garrett Street designated Main Street Commercial. This development provides a transition from the larger commercial and mixed use buildings along Division Street and Princess Street, to the low rise neighbourhood to the west along Garrett Street.

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

- Site Plan (Exhibit B);
- Floor Plans and Elevations (Exhibit B);
- Massing Models (Exhibit C);
- Archaeological Assessment;
- Phase 1 Environmental Assessment;
- Planning Justification Letter;
- Site Servicing Memo; and
- Stormwater Management Memo.

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 14 Garrett Street, southwest of the intersection of Division Street and Princess Street. The site is bordered by the recently approved 6-storey mixed use building located at 168 Division Street to the east, two and three-storey residential uses to the

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south, a 2.5-storey apartment building to the west, and the Bell Canada building to the north (Exhibit D – Neighbourhood Context (2018)).

The subject property is designated Main Street Commercial in the Official Plan and zoned C.482 in Zoning By-Law Number 8499. The zoning for the subject lands permits a mix of commercial and higher density residential uses.

The site was subject to a zoning by-law amendment in 2016 (File Number D14-002-2016) that rezoned the property with the site-specific provisions that are in place today. The application in 2016 was submitted to support the development of a parking structure that would have been two storeys in height, with a third level of parking spaces located on the roof. It was proposed that a total of 60 parking spaces will be located on the property; 53 within a new parking structure and seven surface spaces to the west of the proposed structure.

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:

Provincial Policy Statement

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

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

The subject property is designated Main Street Commercial in the City of Kingston Official Plan (Exhibit E – Existing Official Plan). These areas are pedestrian oriented, with a mix of uses including retail, service, residential, and office uses that are developed close to the sidewalk in a “main street” format. Permitted commercial uses include retail, service and office uses that are suitable for an accessible main street pedestrian format, and are intended to serve the surrounding neighbourhoods. For properties within a Main Street Commercial designation, land use on the ground floor is required to be commercial. Residential uses are permitted as upper storey uses.

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 following provides these nine requirements and an assessment of how the proposal is consistent with each.

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

The proposed minor variance application meets the intent of Section 2 of the Plan, as well as all other applicable policies of the Official Plan. The proposal for a mixed use building is located within the urban boundary, near active transportation and transit facilities. The subject lands are located within a Corridor on Schedule 2 - City Structure, which is an area of the City where growth and intensification is to be focused and greater densities of residential and non-residential will be permitted (2.2.7). The uses proposed on-site are consistent with those permitted by the Main Street Commercial designation, as implemented through the site specific C.482 Zone.

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

The proposed mixed use commercial residential building is compatible with the surrounding uses. The massing of the building is pushed towards the north-east side of the site, nearest the recently approved 6 storey 168 Division Street (Exhibit C – Massing and Perspectives). The four-storey massing provides suitable transition in the built form between the 6-storey building to the east, and the two-storey buildings to the west and south. A 2 metre setback from the street is being provided to provide greater relief from the sidewalk and allow for increased options for landscaping. The building maximizes setbacks from the existing multi-unit residential building to the west, and will be set back a minimum of 6 metres from the rear lot line. The parking lot will be visually screened by a privacy fence as reviewed through the Site Plan Control agreement. The rear yards of lots through the area serve as both the amenity area and as a supportive function by providing parking and garbage receptacles. The proposed balconies and rooftop amenity do not present an intrusive overlook concern. The more urban areas around the City are characterized by a higher density of buildings in closer proximity to one and other where windows and balconies cannot necessarily or always be screened from view by adjacent occupants. This building is shorter than the building at 168 Division Street and will have a smaller number of units and the rooftop amenity is also located further from the rear lot line.

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

All proposed parking for vehicles and bicycles is provided on-site. Vehicular access to the site is concentrated on the western end, with a pedestrian only access to the rear parking area provided on the east side. Accessible parking, as well as pathways are provided in accordance with the AODA. The primary doors for both the commercial unit and residential lobby face out onto Garrett Street.

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

The subject lands are not within a character area as identified on Schedule 9 – Heritage Areas, Features, and Protected Views in the City’s Official Plan, or within a Heritage Conservation District.

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

The subject lands are not designated under Part IV or V of the *Ontario Heritage Act*.

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

The applicants submitted a Site Servicing Memo (dated January 16, 2020) and Stormwater Management Memo (dated November 11, 2019) prepared by Forefront Engineering. The documents have been reviewed by City Engineering and Utilities Kingston. As identified in the Servicing Feasibility Memorandum, prepared by Forefront Engineering dated January 16, 2020, the existing watermain does not have adequate capacity to service the on-site fire suppression and fire sprinkler system for this development, but the watermain on Division Street does. The watermain on Garrett Street will have to be upgraded in order to provide adequate pressure to service the property. The applicants have proposed a solution to upgrade this watermain to service the property. Utilities Kingston has reviewed this report and proposal and noted that any servicing upgrades and corresponding conditions will be incorporated into a future Site Plan Control agreement.

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

The property is already zoned for mixed use commercial and residential uses. The applicant, when considering options for the site, developed a building that met the requirements of the zone, including density. At 123 units per net hectare, the applicants could accommodate 11 units, but these units were larger and had more bedrooms. In review of that option versus the option that forms part of this application, the variances are minor and put forward a more desirable building envelope, site arrangement, and overall positive development.

8. The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a minor variance including any reasonable requirements,

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recommendations of City departments, or the submission of studies as listed in Section 9.12 of this Plan that may be required to properly evaluate the application;

Conditions are included as part of this approval.

9. The degree to which such approval may set an undesirable precedent for the immediate area.

The application will not set an undesirable precedent. The zoning for the use is already in place and the variances proposed seeks relief from the provision of the by-law to construct a more desirable and compatible built form.

The proposal meets the intent of the Official Plan, as the proposed 4-storey mid-rise, mixed use building 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 C.482 in the City of Kingston Zoning By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended (Exhibit F – Existing Zoning). The C.482 zone permits a range of commercial uses and higher density residential uses.

The proposal seeks relief from select provisions of the zoning by-law:

Variance Number 1:

By-Law Number 8499: 4.7A – Bicycle parking space width (minimum)
Requirement: 0.6 metres
Proposed: 0.3 metres
Variance Requested: 0.3 metres

Variance Number 2:

By-Law Number 8499: 5.3A(a)(ii)(1) – Parking spaces per residential unit
Requirement: 1 space per residential unit
Proposed: 0.61 spaces per residential unit
Variance Requested: 0.39 spaces per residential unit

Variance Number 3:

By-Law Number 8499: 5.3A(d)(ii)(a) Barrier free parking space length (Type A)(minimum)
Requirement: 6 metres
Proposed: 5.2 metres
Variance Requested: 0.8 metres

Variance Number 4:

By-Law Number 8499: 5.3A(d)(ii)(c) Barrier free parking aisle length (minimum)
Requirement: 6 metres

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Proposed: 5.2 metres
Variance Requested: 0.8 metres

Variance Number 5:
By-Law Number 8499: 20.3(b)(ii) Rear yard setback (minimum) (main building)
Requirement: 7.1 metres (based on ½ height of 14.15 metres)
Proposed: 6 metres
Variance Requested: 1.1 metres

Variance Number 6:
By-Law Number 8499: 20.3(b)(ii) Rear yard setback (minimum) (bicycle parking structure)
Requirement: 1.05 metres (based on ½ height of 2.1 metres)
Proposed: 0 metres
Variance Requested: 1.05 metres

Variance Number 7:
By-Law Number 8499: 20.3(b)(iii) Interior side yard setback (minimum)
Requirement: 3.6 metres (2.4 metres plus 0.6 metres per floor above the second floor)
Proposed: 1.2 metres on the east side, 3.2 metres on the west side
Variance Requested: 2.4 metres on the east side, 0.4 metres on the west side

Variance Number 8:
By-Law Number 8499: 20.3(h) Density (maximum)
Requirement: 123 dwelling units per net hectare
Proposed: 196 dwelling units per net hectare
Variance Requested: 73 dwelling units per net hectare

Variance Number 9:
By-Law Number 8499: 482(g) Height along angular plane where adjacent to a residential zone (maximum)
Requirement: Within a 45 degree angular plane measure from a height of 7 metres at the property line
Proposed: 3.62 metres for west interior side yard, 1.15 metres for rear yard
Variance Requested: 3.62 metres for west interior side yard, 1.15 metres for rear yard

Variance Number 10:
By-Law Number 8499: 5.14 Structures permitted above the height limit
Requirement: The height regulations herein set forth shall not apply to church spires, church belfries, chimneys, water tanks, elevator enclosures or penthouses of one-storey only occupying in the aggregate less than 10 per cent of the area of the roof of the building on which they are located, nor shall they apply to silos, grain elevators, sugar refineries, scenery lofts, flagpoles, radio and television transmitters.

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- Proposed:** Allow architectural details such as the parapet, railings, or other elements required to support the rooftop amenity area to be constructed above the height limited as approved through a Site Plan Control agreement.
- Variance Requested:** Allow architectural details such as the parapet, railings, or other elements required to support the rooftop amenity area to be constructed above the height limited as approved through a Site Plan Control agreement.

The variances to the bicycle parking stall width and reduction in the rear yard setback for the bicycle parking structure are required in order to accommodate a secure bike rack and weather protection cover on-site located at the rear of the property. This location is a logical space for the required facility and it is connected to the main parking area and street via a pathway and drive aisle.

The reduction in the residential parking ratio from 1 parking space per unit to 0.61 parking spaces per unit is appropriate for the development of the site. The development is within walking distance of commercial and employment uses, as well as major institutions. The site is well supported by transit services and active transportation facilities. Bike parking is being provided in accordance with the by-law. The applicant is not seeking relief from the commercial parking ratio.

The reduction in the accessible parking space length and access aisle length brings the length of parking spaces in line with a standard parking space. The site is small and constrained and the variance allows the parking lot to develop in a logical and orderly manner. The Type A accessible parking space is sized in accordance with the AODA.

The application proposes to vary the rear yard setback from the calculated 7.1 metres (1/2 the height of the 14.2 metre high building) to 6 metres. The site-specific zone allows the development of the 4-storey building 0.9 metres from the front lot line. Through review of the application, it was requested that the building be set back from the street a minimum of 2 metres to provide a wider public realm, providing a transition from the taller buildings on Division Street to the shorter and further set back buildings along Garrett Street. This setback also provides a greater opportunity for landscaping and commercial spillover opportunities. If the development was built with a 0.9 metre setback, the rear yard setback reduction would not be required. The 1.1 metre reduction to the rear yard is not anticipated to negatively impact the adjacent residential units.

The zone requires a minimum interior side yard setback for multi-residential buildings of 2.5 metres plus 0.6 metres for every floor above the second floor. The building has been pushed to the far right hand side of the property, nearest the new 6-storey building at 168 Division Street. This helps to increase the setback to the existing 2.5-storey apartment building located west of the site. The site is narrow and the large interior side yard setbacks are not required to support the development or to achieve compatibility with the adjacent existing uses. Reducing the interior side yard setbacks also helps to create a more complete streetwall along Garrett Street.

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The increased density from 123 dwelling units per net hectare to 196 dwelling units per net hectare represents a compatible increase in the sites density. At 123 dwelling units per net hectare, the applicants could develop 11 residential units, but given the floor plates needed to support the development, the units would be larger with more bedrooms (increased number of 4 and 5 bedroom units). The proposed increase in density from 11 units to 18 units creates units that are more suitable to the wider market, with 2 and 3 bedrooms apiece. The change meets the intent of the zoning by-law by facilitating a more appropriate mix of residential units.

The application proposes to allow a portion of the building within the rear yard and side yard angular planes. The site-specific C.482 zone requires a 45 degree angular plane measured at the lot line 7 metres above grade in order to reduce the impact of a proposed building or structure on an existing residential use. The applicants have demonstrated these angular plane requirements in Exhibit B – Site Plan and Elevations, drawings A500 and A501. Drawing 501 illustrates the request to permit 1.15 metres of the building within the rear yard angular plane. As shown on drawing A500, 3.62 metres of the building is proposed inside the angular plane setback. There are structural limitations when developing with wood frame construction that limit the ability to articulate a building. The variance to the rear yard angular plane is required because of the increased setback of from Garrett Street of 2 metres. Without the increased setback, the angular plane variance would no longer be required. Both variances to the rear yard and side yard angular planes is not anticipated to negatively impact or adversely shadow the adjacent properties.

In order to property develop the rooftop amenity area, including a rooftop parapet, safety fencing and privacy fencing, the structures permitted above the height limit have been included in order to allow these features to be considered through the future Site Plan Control application.

In review of the requested variances, the intent and purpose of the zoning by-law is maintained.

3) The variance is minor in nature

The proposed variances assist in the development of a more compatible development that offers a wider range of unit types, in a location that supports higher density, mixed use buildings. This application applies only to the subject lands and is a reflection of the site specific constraints. The variance is considered minor as there are no anticipated negative off-site impacts.

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

The increased density facilitates a more appropriate mix of unit types, located within walking distance of amenities, employment, and commercial uses. The setback variances and angular plane variances result in a massing that is compatible with the adjacent

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existing land uses. The proposed variances are appropriate and desirable for the development and use of the land.

Technical Review: Circulated Departments and Agencies

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Building Division | <input checked="" type="checkbox"/> Engineering Department | <input checked="" type="checkbox"/> Heritage (Planning Service) |
| <input type="checkbox"/> Finance | <input checked="" type="checkbox"/> Utilities Kingston | <input type="checkbox"/> Real Estate & Environmental Initiatives |
| <input checked="" type="checkbox"/> Fire & Rescue | <input checked="" type="checkbox"/> Kingston Hydro | <input checked="" type="checkbox"/> City's Environment Division |
| <input checked="" type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Parks Development | <input type="checkbox"/> Canadian National Railways |
| <input type="checkbox"/> Housing | <input checked="" type="checkbox"/> District Councillor | <input type="checkbox"/> Ministry of Transportation |
| <input type="checkbox"/> KEDCO | <input type="checkbox"/> Municipal Drainage | <input type="checkbox"/> Parks of the St. Lawrence |
| <input checked="" 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

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

Public Comments

At the time this report was finalized, no public comments had 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

File Number D14-002-2016

Conclusion

The requested variance(s) maintain(s) the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variance(s) are minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and the application is being recommended for approval, subject to the proposed conditions.

Approval of this application will facilitate the development of a four-storey, mid-rise mixed use commercial residential building that adds density into an area supported by transit and active transportation facilities, near employment and commercial uses, and that is compatible with the existing adjacent developments.

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Existing Policy/By-Law:

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

Provincial

Provincial Policy Statement, 2014

Municipal

City of Kingston Official Plan
Zoning By-Law Number 8499

Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on March 23, 2020. Pursuant to the requirements of the *Planning Act*, a notice of Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 10 days in advance of the meeting. In addition, notices were sent by mail to a total number of 47 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.

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

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

Tim Park, Manager of Development Approvals 613-546-4291 extension 3223

James Bar, Senior Planner 613-564-4291 extension 3213

Other City of Kingston Staff Consulted:

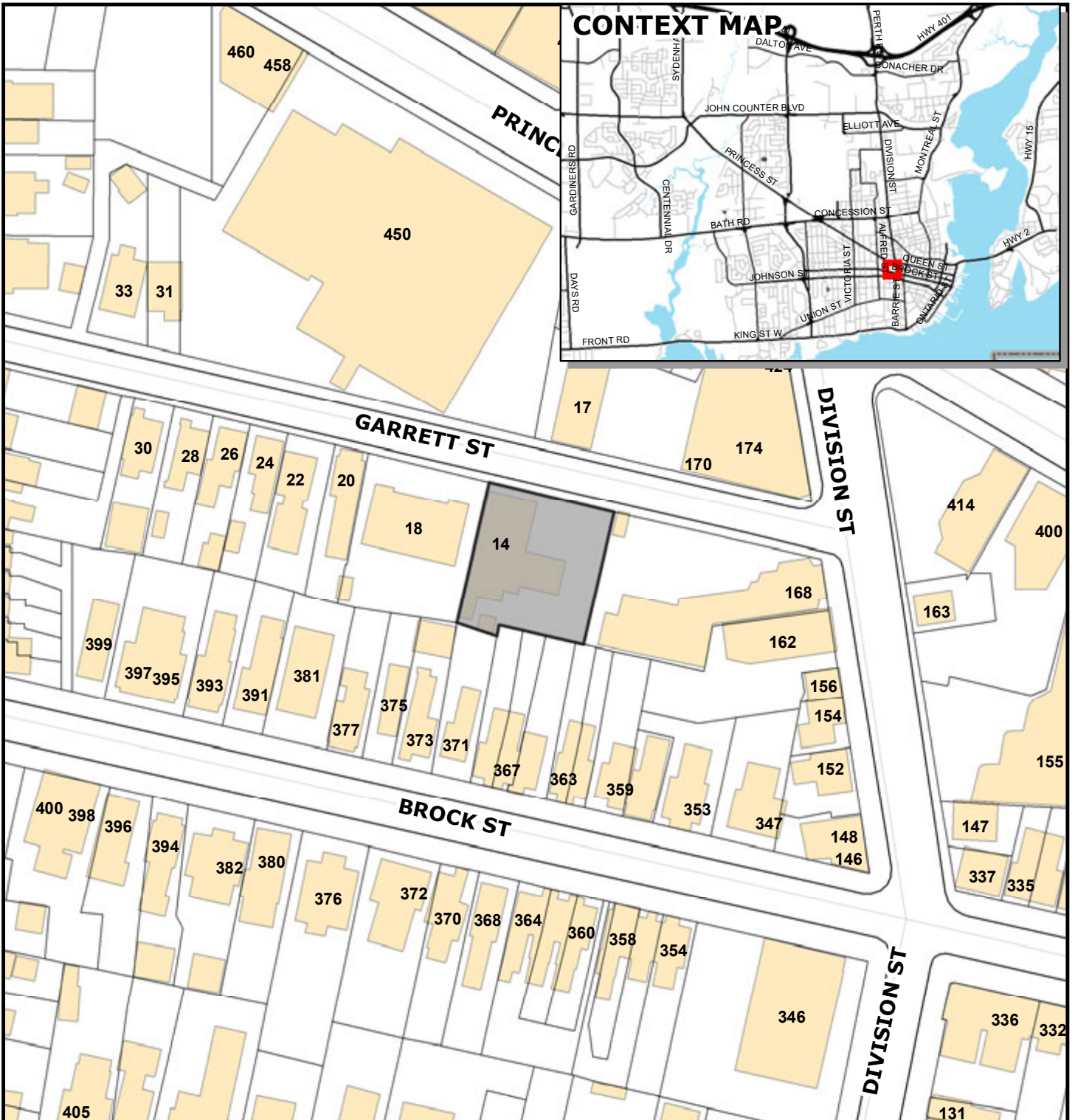
The application was circulated to the relevant internal departments and external agencies for review and comment. The responses to the technical circulation have been addressed in the technical review and included in this report.

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Exhibits Attached:


- Exhibit A Key Map
- Exhibit B Site Plan, Floor Plans, Elevations
- Exhibit C Massing and Perspectives
- Exhibit D Neighbourhood Context (2018)
- Exhibit E Existing Official Plan
- Exhibit F Existing Zoning
- Exhibit G Public Notice Notification Map



CONTEXT MAP

COMMITTEE OF ADJUSTMENT
Key Map

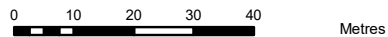
Legend

 Lands Subject to Minor Variance



Planning Services
a department of
Community Services

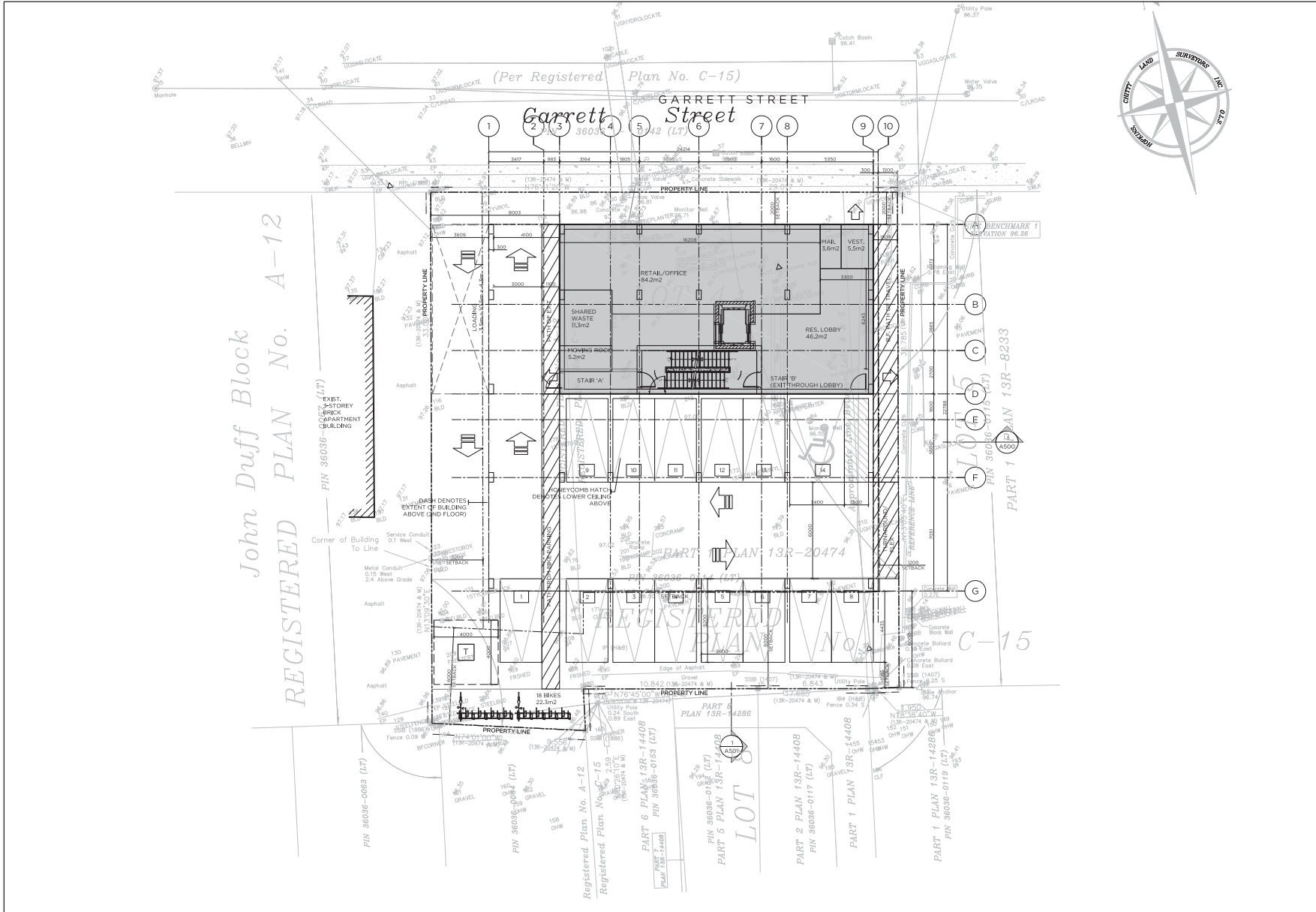
File Numbers: D13-050-2019
Address: 14 Garrett Street



1:1,200

PREPARED BY: A. Dowker
DATE: 2019-11-01

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ISSUED RECORD

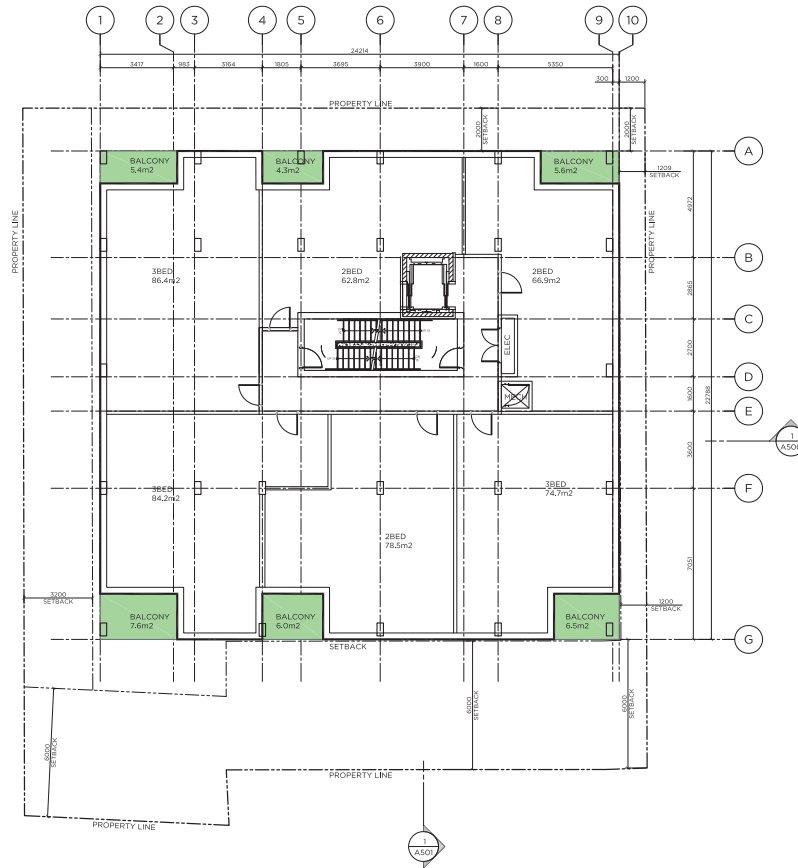
20190101	COORDINATION
20190102	COORDINATION
20190104	ISSUED FOR MARK UNWIND

REVISION RECORD



19068
14 GARRETT ST
KINGSTON ON
HIGHPOINT

SITE PLAN
1:100
A100



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ISSUED RECORD
 20240111 COORDINATOR
 20240404 ISSUED FOR PERMITS

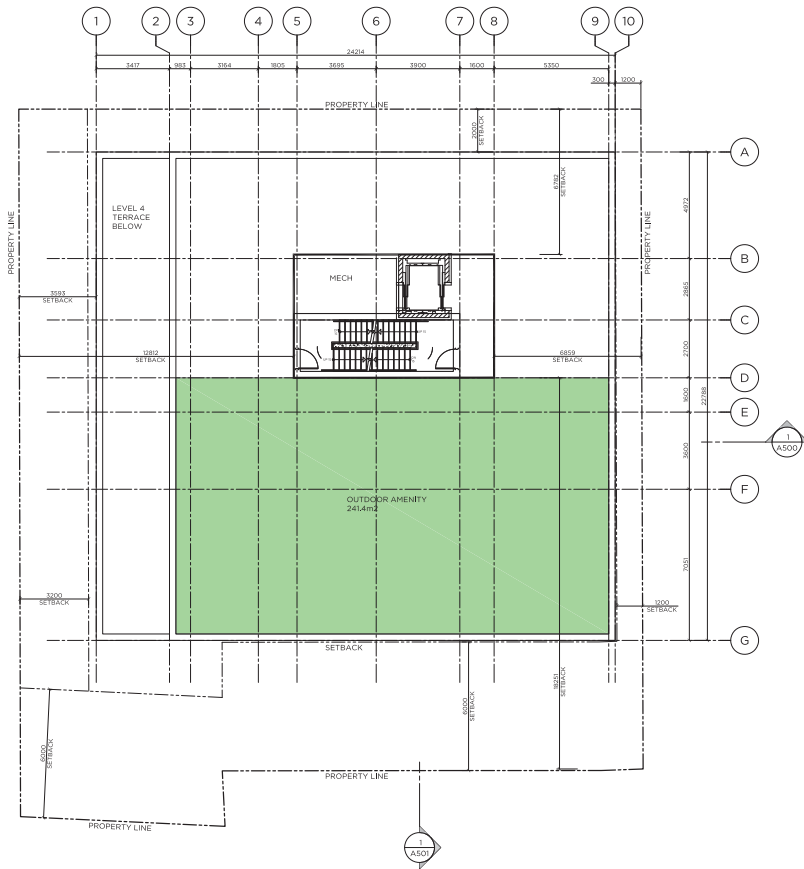
REVISION RECORD



19068
 14 GARRETT ST
 KINGSTON ON
 HIGHPOINT

2ND-4TH FLOOR
 PLAN

1:100
A202



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ISSUED RECORD

20200111	COORDINATION
20200402	COORDINATION
20200408	REVISED FOR MARKS VARIANCE

REVISION RECORD



19068
 14 GARRETT ST
 KINGSTON ON
 HIGHPOINT

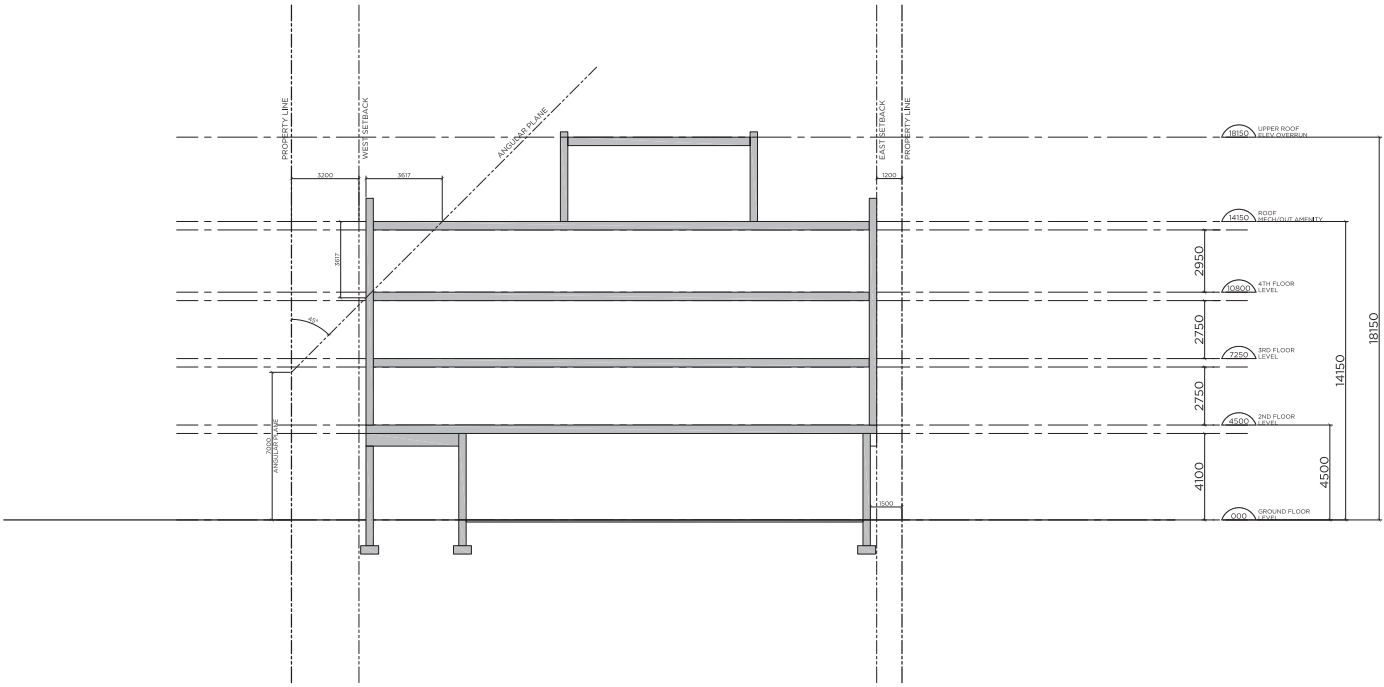
ROOF
 PLAN
 1:100
A204

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ISSUED RECORD

20200111	COORDINATION
20200423	COORDINATION
20200608	ISSUED FOR WORK REFERENCE

REVISION RECORD

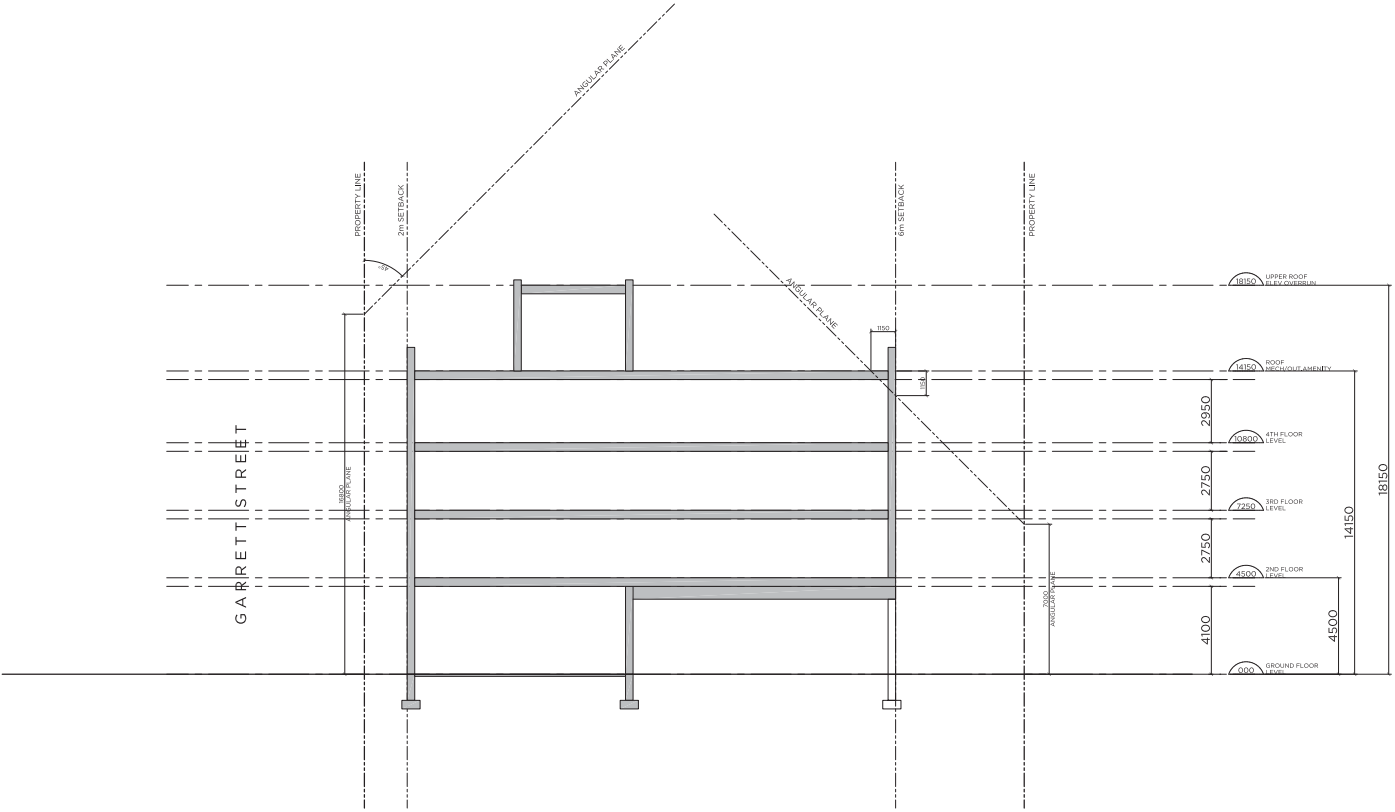


NORTH

405-317 ADELAIDE STREET WEST
 TORONTO CANADA M5V 1P9
 T: 416-598-9225
 WWW.RAWDESIGN.CA

19068
 14 GARRETT ST
 KINGSTON ON
 HIGHPOINT

BUILDING
 SECTION
 1:100
A500



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ISSUED RECORD

201911	COORDINATION
202002	COORDINATION
202008	ISSUED FOR WORK VARIANCE

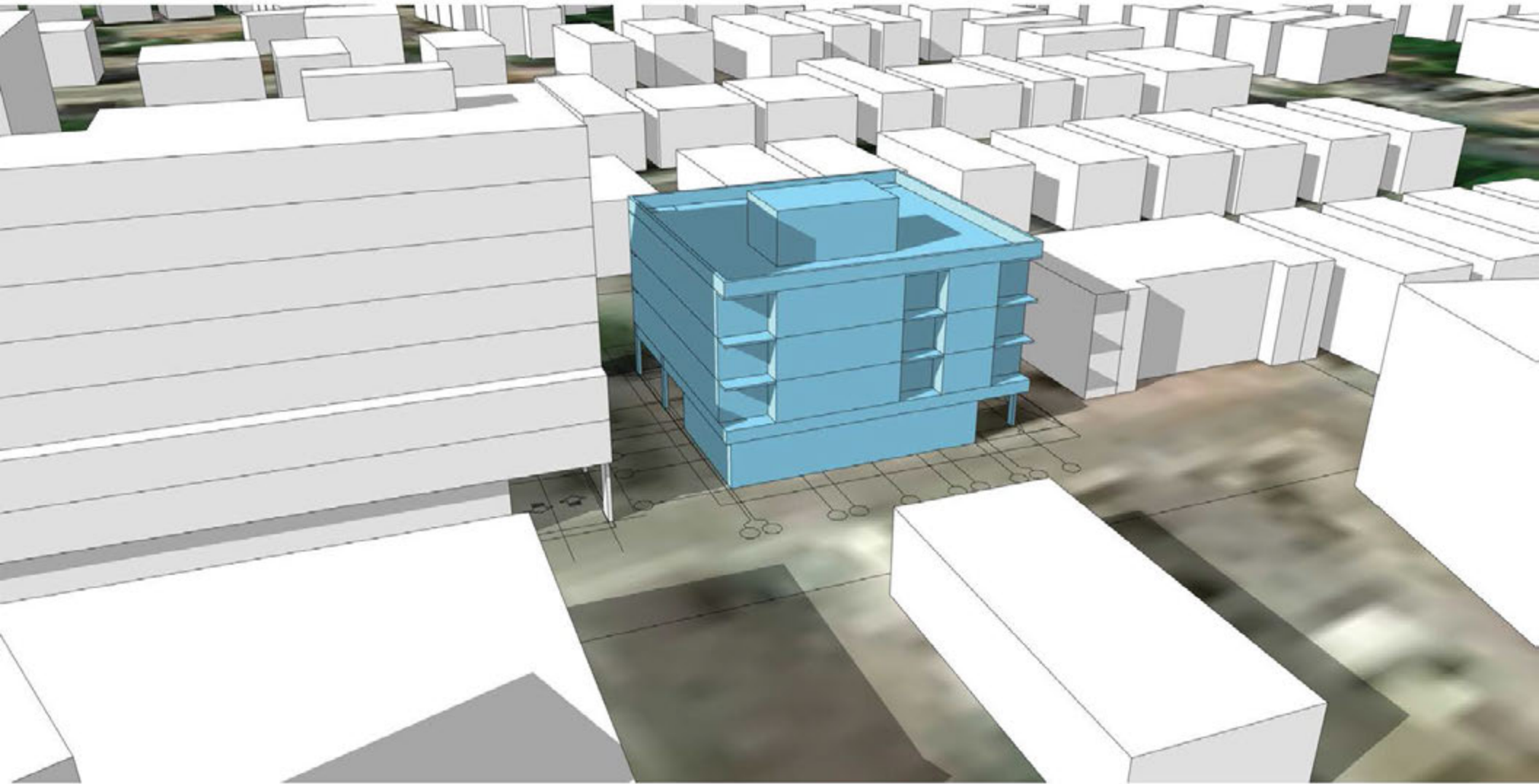
REVISION RECORD

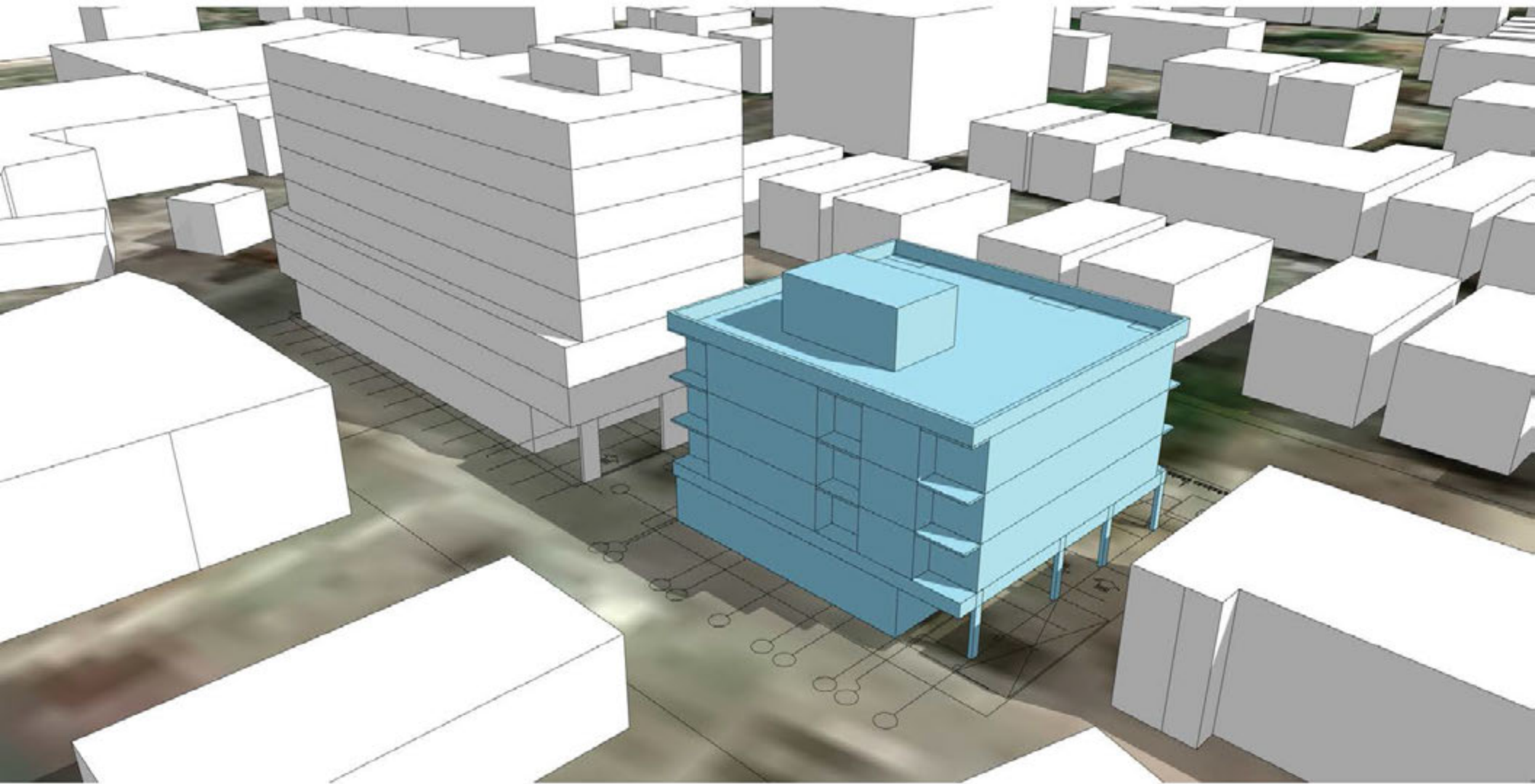
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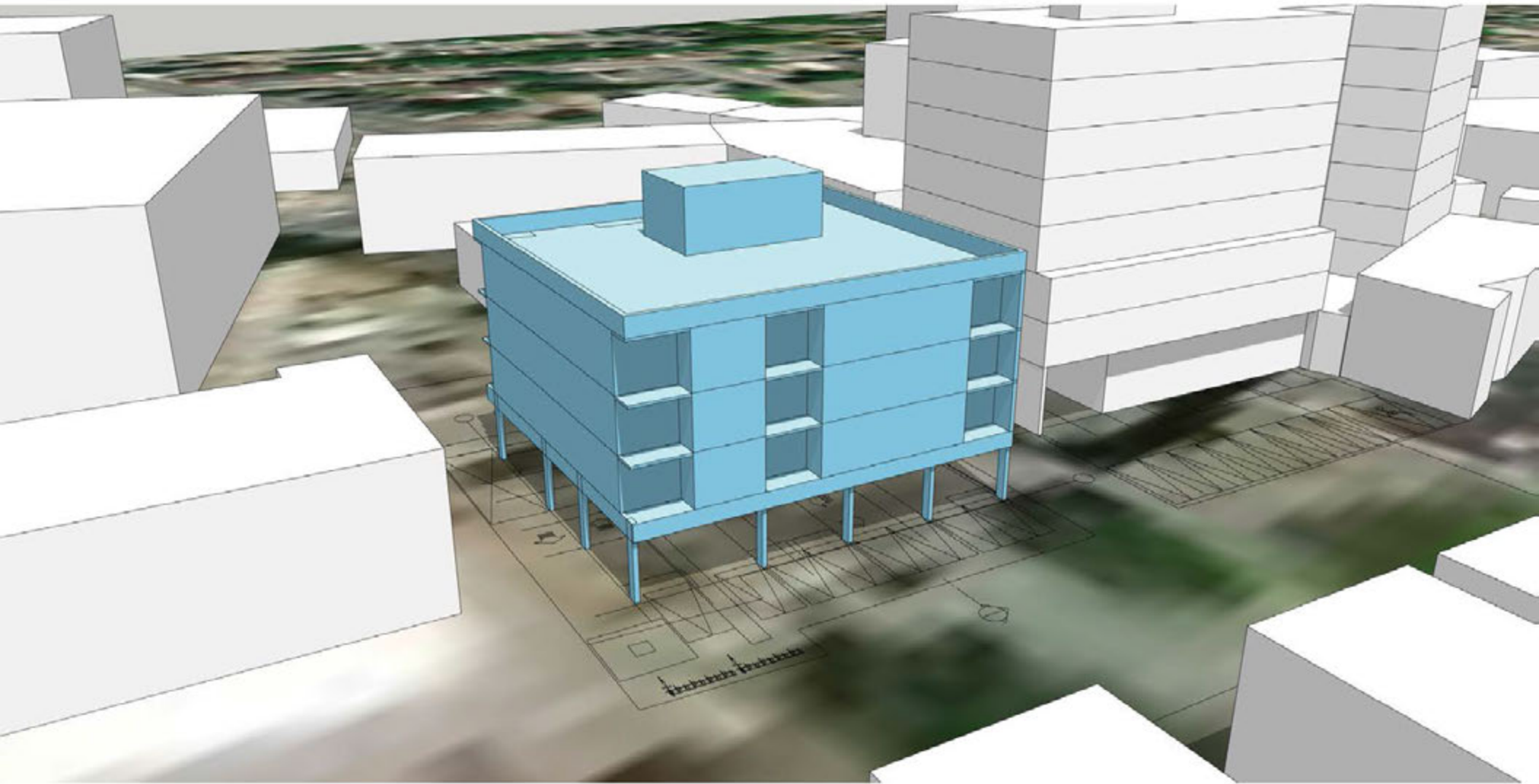
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 TORONTO CANADA M5V 1P9
 T: 416-598-9235
 WWW.RAWDESIGN.CA

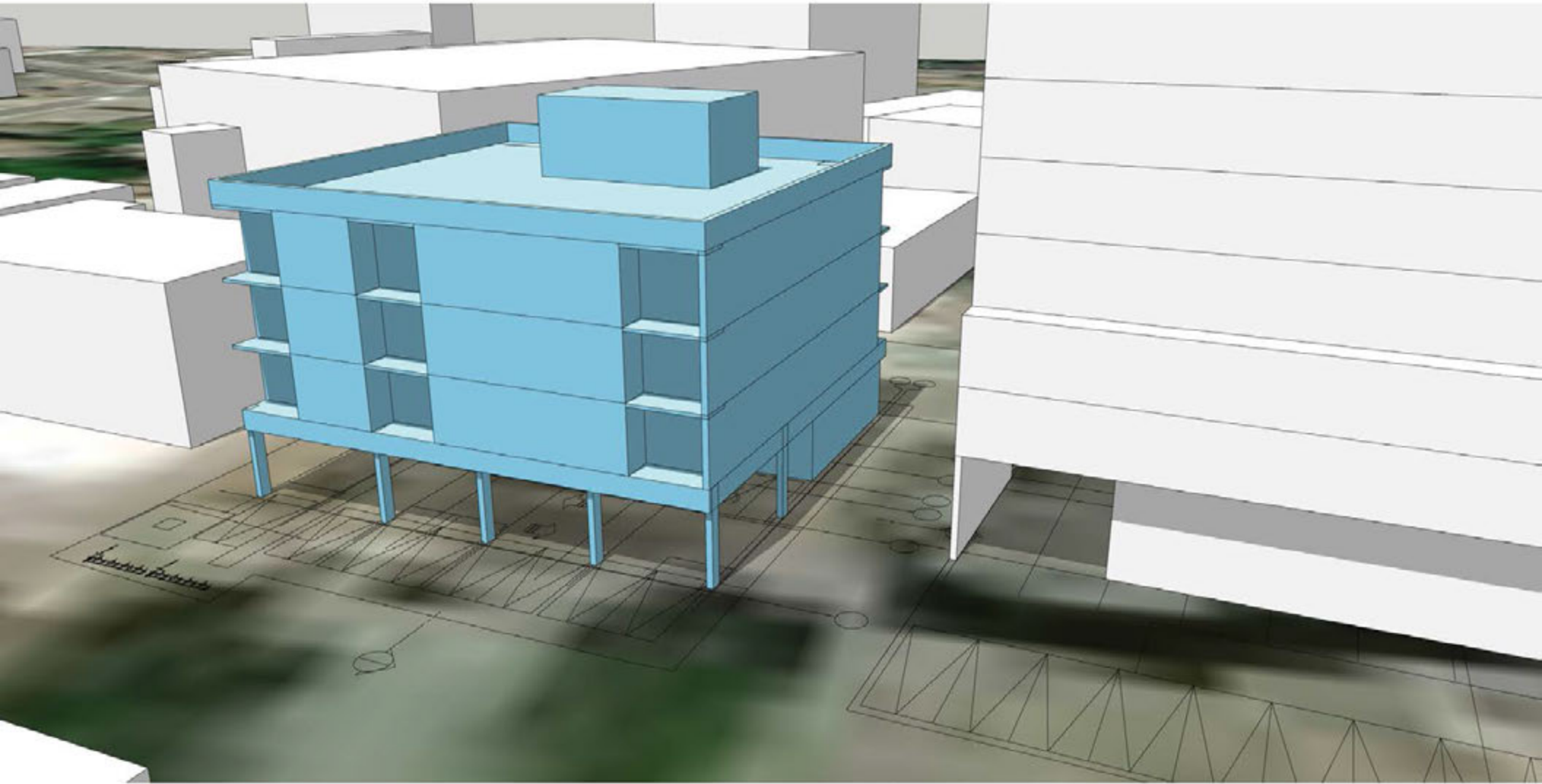
19068
 14 GARRETT ST
 KINGSTON ON
 HIGHPOINT

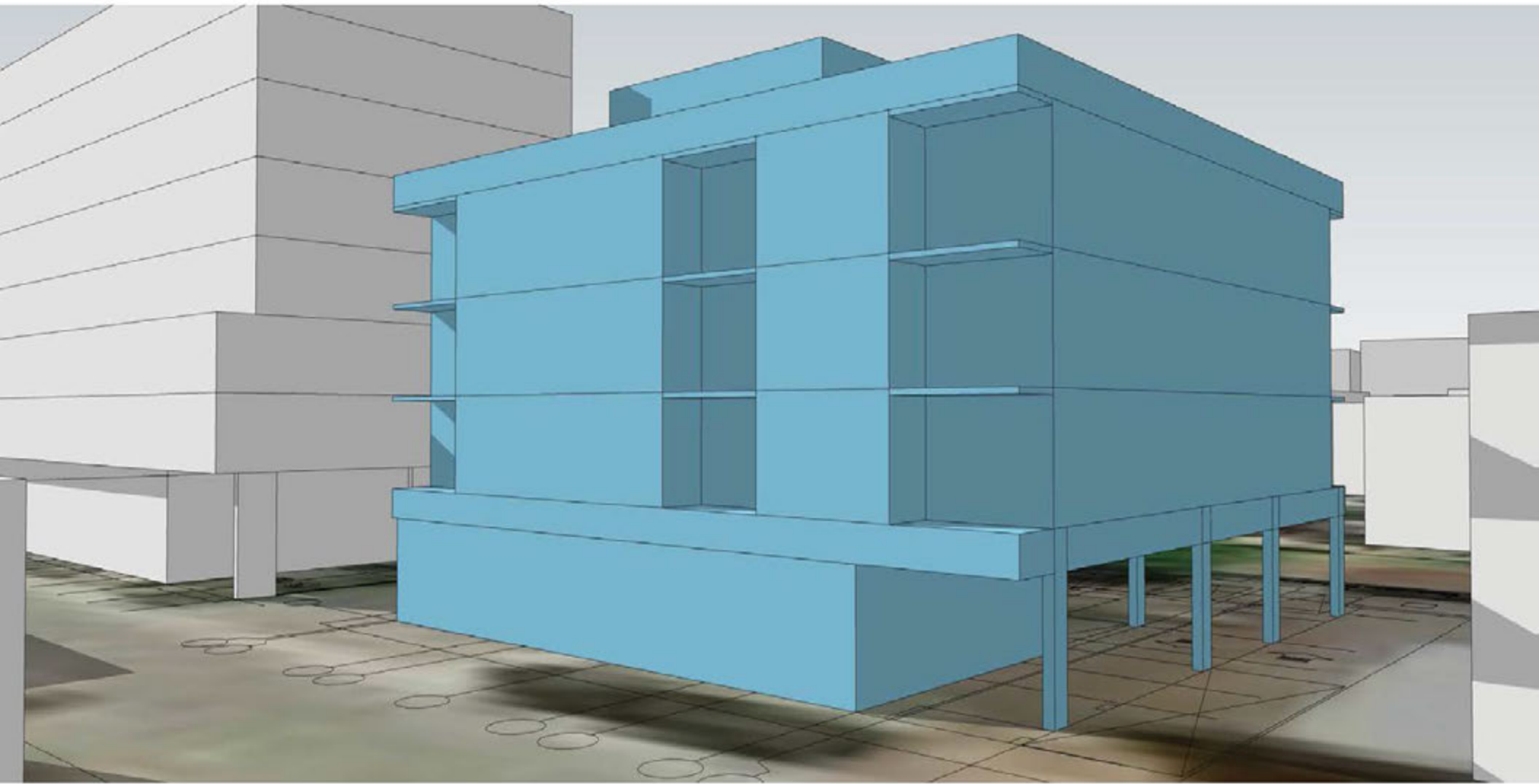
BUILDING
 SECTION
 1:100
A501













Corporation of the City of Kingston

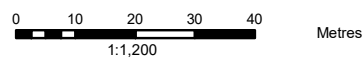


Planning Services

a department of
Community
Services

COMMITTEE OF ADJUSTMENT
Neighbourhood Context (2018)

File Numbers: D13-050-2019
Address: 14 Garrett Street



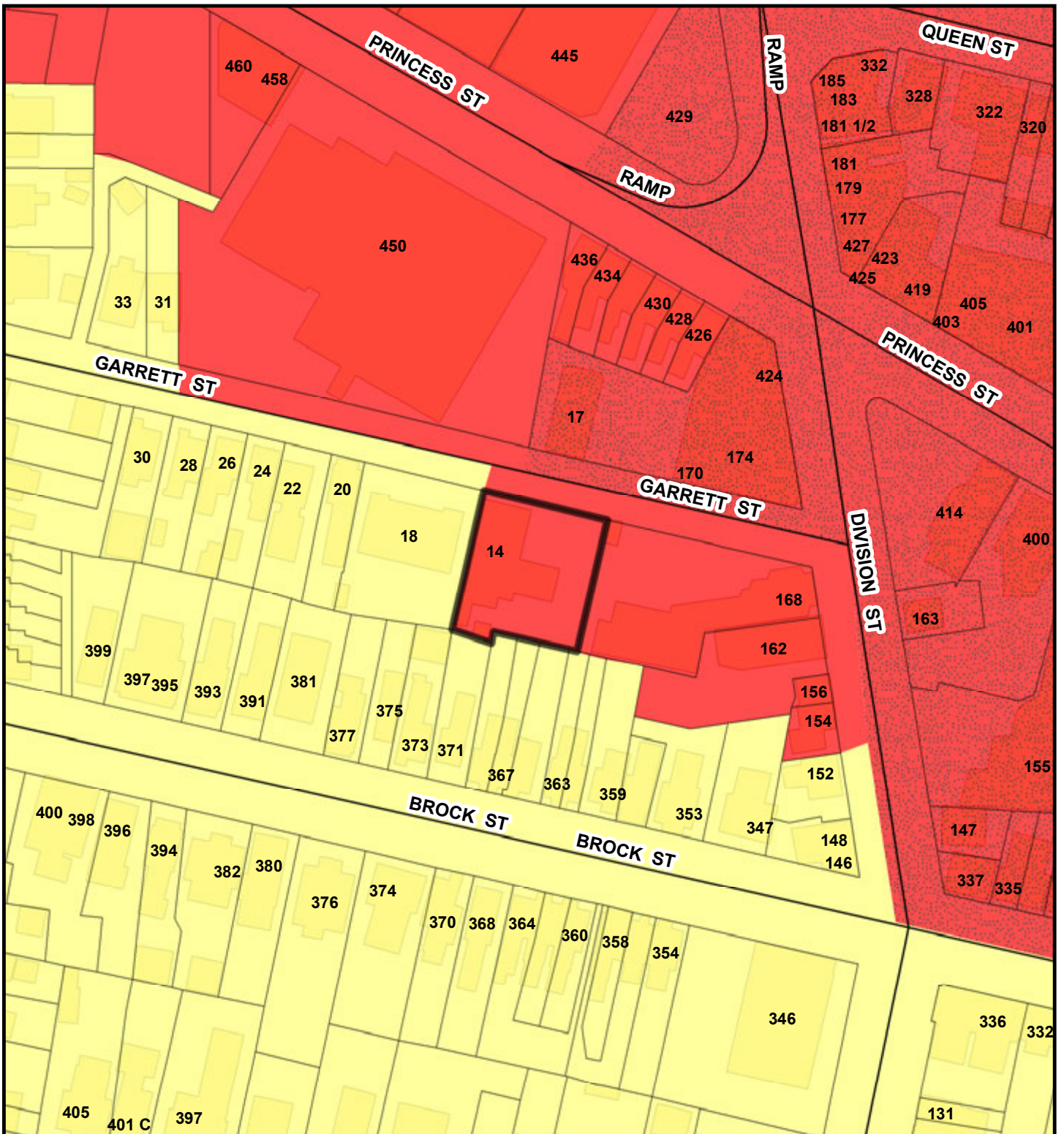
Legend

-  Subject Property
-  Property Boundaries



PREPARED BY: A. Dowker
DATE: 2019-11-01

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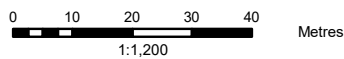


Planning Services

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Services

COMMITTEE OF ADJUSTMENT
Official Plan, Land Use

File Numbers: D13-050-2019
Address: 14 Garrett Street



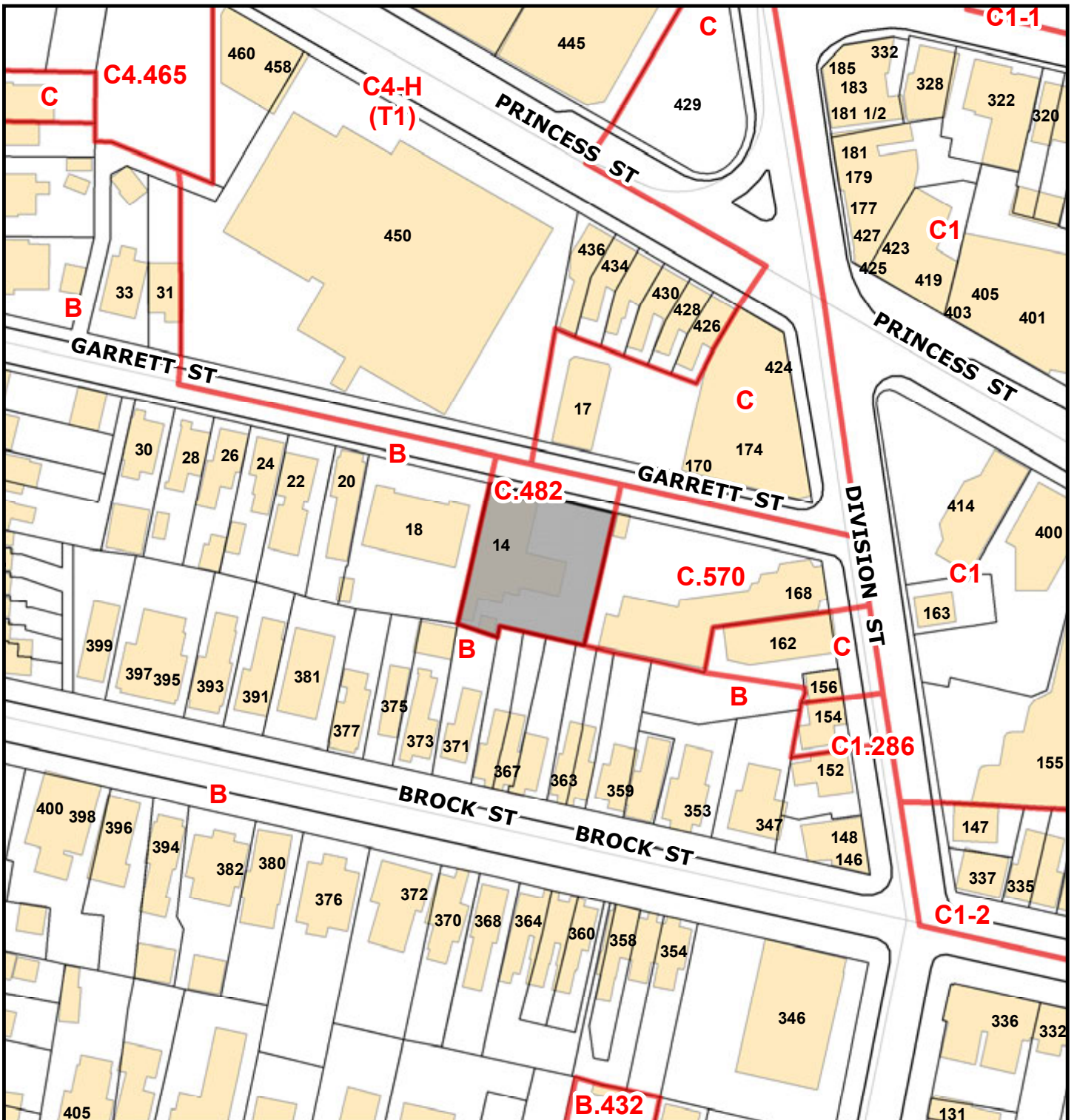
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DATE: 2019-11-01

Legend

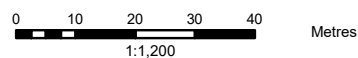
- Subject Property
- Central Business District
- Main Street Commercial
- Residential








COMMITTEE OF ADJUSTMENT
Zoning By-Law 8499, Map 19

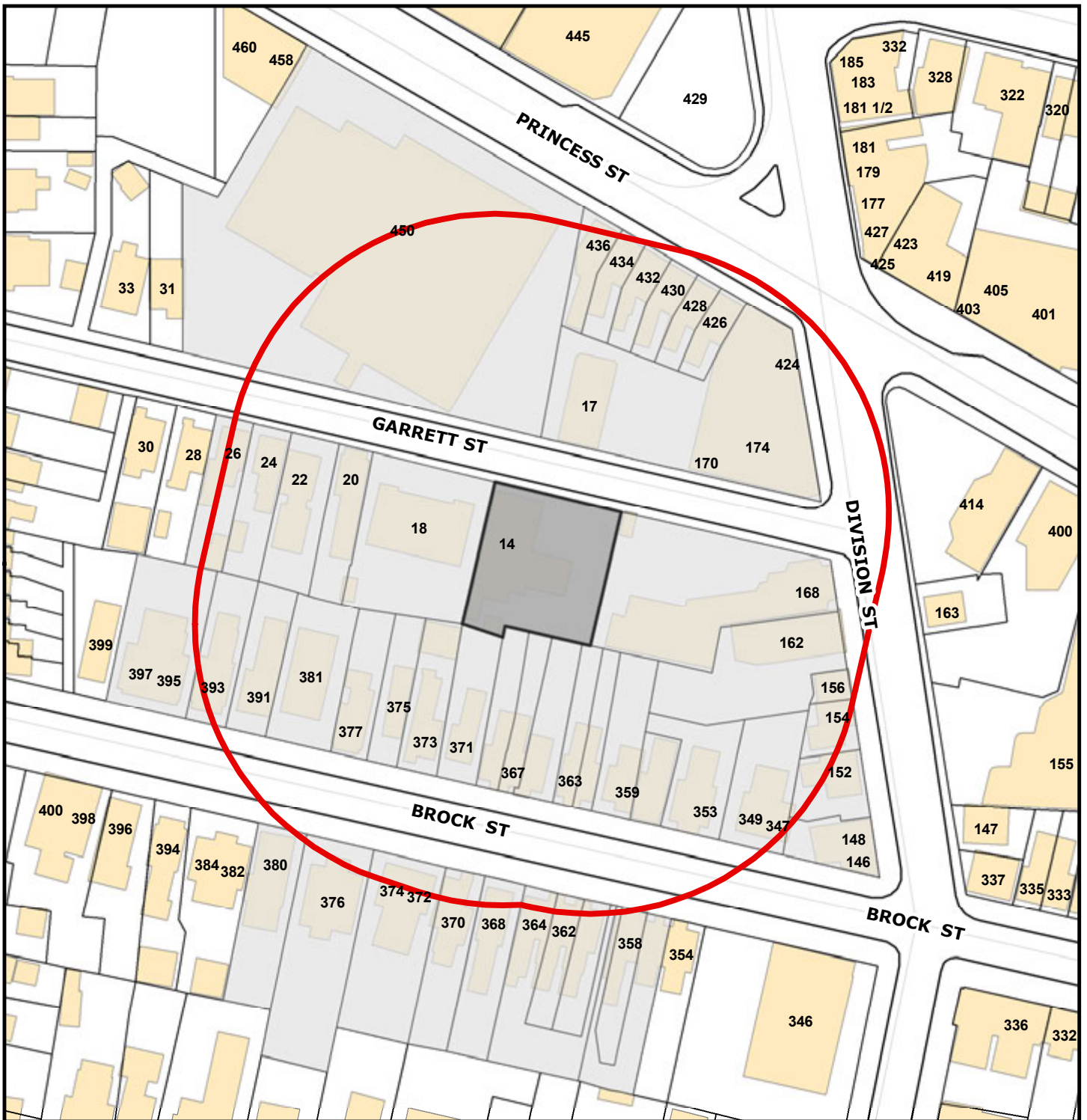
File Numbers: D13-050-2019
Address: 14 Garrett Street



Legend

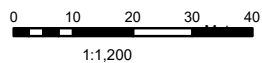
-  Subject Property
-  Consolidated Zoning
-  Property Boundaries









COMMITTEE OF ADJUSTMENT
Public Notice Notification Map

File Numbers: D13-050-2019
Address: 14 Garrett Street



Legend

-  60m Public Notice Boundary
-  Subject Property
-  47 Properties in Receipt of Notice
-  Property Boundaries

