



**City of Kingston
Report to Committee of Adjustment
Report Number COA-20-046**

To: Chair and Members of the Committee of Adjustment
From: Genise Grant, Intermediate Planner
Date of Meeting: August 24, 2020
Application for: Minor Variance
File Number: D13-025-2020
Address: 179 Sydenham Street
Owner: Mort Investments Ltd.
Applicant: PlusVG Architects

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.

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variances for the property located at 179 Sydenham Street (Exhibit B). The applicant is proposing to introduce eight dwelling units within the upper storey of the existing building envelope. In order to provide adequate egress, the applicants will be demolishing the small one-storey addition at the northwest side of the building, and constructing a new two-storey addition which will accommodate a stairway access for the residential units. A small second storey addition over the existing retail space at the northeast side of the building will accommodate a ninth residential unit.

In order to permit the proposed development, the applicants are requesting relief by the Committee of Adjustment from provisions of the zoning by-law related to maximum residential density, amenity space, and vehicular parking spaces per dwelling unit. Relief from amenity space and parking provisions is required as the existing heritage building, which is currently listed under the Ontario Heritage Act, covers nearly one hundred percent of the lot.

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The City's Downtown and Harbour Zoning By-Law (By-Law Number 96-259) encourages upper-storey conversions of older commercial buildings in the downtown core to provide additional residential units. This type of conversion allows for gentle residential intensification within the main city centre that can conserve important cultural heritage resources, minimize impacts on surrounding properties and the downtown character, contribute to the vitality of the downtown core, and offer urban lifestyle housing options for both new and existing residents. Residential conversions on lower Princess Street, specifically, allow residents to utilize the alternative transportation modes offered by the City, including express transit services, cycling infrastructure, and improved sidewalks. This type of gentle residential intensification supports a number of Council priorities and represents good planning.

The proposed development represents desirable development and maintains the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 96-259. The requested minor variances are desirable for the appropriate development and use of the land, 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.

The property is currently listed on the City's Heritage Properties Register. In accordance with Section 27(3) of the *Ontario Heritage Act*, notices of demolition for listed properties are required to be provided to the Council of a municipality when a listed building, or portion thereof, is planned to be demolished. The owners provided a notice of intent to demolish the modern addition at the rear of the building facing Sydenham Street to support this project on June 29, 2020; the 60-day timeframe will expire on August 28, 2020. The proposed demolition was reviewed by Heritage Kingston at their meeting on July 15, 2020, and the committee supported Staff's recommendation to Council to take no further action at this time. This recommendation will be in front of Council for a decision at its meeting on August 11, 2020. The property retains its listed status under the Ontario Heritage Act and staff will be advancing a designation or Heritage Easement Agreement for this property to ensure the Oddfellows Block's conservation under the Act in the near future.

Variance Number 1:

By-Law Number 96-259:	Section 7.2 – Maximum Density
Requirement:	123 units per net hectare
Proposed:	144 units per net hectare
Variance Requested:	21 units per net hectare

Variance Number 2:

By-Law Number 96-259:	Section 5.5.1 – Amenity Area
Requirement:	10 square metres per unit (90 square metres in total)
Proposed:	26.5 square metres for two units
Variance Requested:	0 square metres for seven units

Variance Number 3:

By-Law Number 96-259:	Section 5.22.5.2 – Off-Street Residential Parking Ratio
Requirement:	1 parking space per unit (9 parking spaces in total)
Proposed:	0 parking spaces

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Variance Requested: 9 parking spaces

Recommendation:

That minor variance application, File Number D13-025-2020, for the property located at 179 Sydenham Street seeking relief from maximum density, minimum amenity area per unit and minimum off-street residential parking ratio requirements, in order to permit the conversion of the second storey to nine residential units, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-20-046.

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Authorizing Signatures:



Genise Grant, Intermediate Planner

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

Paige Agnew, Commissioner, Community Services

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Options/Discussion:

On June 1, 2020, a minor variance application was submitted by OTPlusVG Architects, on behalf of the owner, Mort Investments Ltd., with respect to the property located at 179 Sydenham Street. The variances are requested in order to allow for the introduction of 9 residential dwelling units in the second storey of the existing commercial building (Exhibit G). Eight of the dwelling units will be located within the existing building envelope, with the ninth being located within a small second storey addition at the northwest side of the building. Relief from zoning provisions related to maximum residential density, and minimum ratio for amenity area and vehicular parking spaces per dwelling unit is required to support the development.

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

- Site Survey;
- Site Photographs;
- Existing Floor Plan Drawings;
- Proposed Floor Plan Drawings;
- Parking Study;
- Planning Justification Report; and
- Heritage Impact 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.

The application will also be subject to Site Plan Control approval, in accordance with the City’s Site Plan Control By-Law. This process involves technical review of the design and functionality of the site.

Site Characteristics

The subject property is located on a corner lot at the northeast corner of Princess Street and Sydenham Street, in the Central Business District (Exhibit C). The property is surrounded by mostly two-storey commercial heritage buildings. Buildings in the area have a high percentage of lot coverage, and are typically built to the front and side lot lines. The property is designated Central Business District in the Official Plan and is zoned the Heritage Commercial ‘C1-3’ Zone in Zoning By-Law Number 96-259, as amended.

The property contains a two-storey red-brick building constructed in 1891, which is known historically as the “Oddfellows Block” (Exhibit F). The building currently contains retail uses on the ground floor and vacant commercial space in the second storey. The property is listed on the City’s Heritage Register, meaning it is recognized as a non-designated property of cultural heritage value. This area of the downtown core contains a number of heritage buildings which contribute to the city’s sense of place.

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The lower Princess Street area is the city's main downtown street and supports a number of commercial uses in close proximity including retail stores, service shops, restaurants and bars, grocery stores, banks, and offices. Princess Street is an Arterial Road and facilitates the 501/502 Express Transit route; the Downtown Transfer Point is also located within walking distance of the site. The area is generally highly walkable as the main centre of the city.

Application

The review of an application for minor variances is not a simple mathematical calculation, but rather a detailed assessment of whether the variances 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.

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

The subject property is designated Central Business District on Schedule 3A – Land Use, in the City of Kingston Official Plan (Exhibit D). The Central Business District designation is applied to the City's downtown core, and specifically along Princess Street east of Division Street. The goal of the designation is to provide for the broadest range of commercial activity that is suitable to the Central Business District setting, in order to support the traditionally diverse role and pedestrian oriented activity focus of the City's architecturally valuable downtown core. Medium and high density residential developments are permitted within the designation, subject to locational criteria and the policies of Section 10A (Downtown & Harbour Specific Policy Area). The zoning by-law implements the policies of the Official Plan.

In considering whether this proposed variance from the zoning by-law 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.

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

The subject property is located within the City's defined Urban Boundary, and more specifically is within a Centre, as shown on Schedule 2 – City Structure, of the Official Plan. The City's Centres are mixed-use areas where intensification is intended to be

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focused. The Central Business District Centre is intended to be the City's primary Centre throughout the duration of the Plan.

The property is within the Central Business District land use designation, as shown on Schedule 3A, and described above. High density residential uses are permitted within the designation, and the subject property satisfies the location criteria outlined in Section 3.3.C.3. The conversion will maintain the existing ground floor commercial uses on Princess Street.

The proposed development will contribute to increased residential density within the City's Central Business District, while maintaining the existing retail commercial units which front onto Princess Street and contribute to the character and vitality of the street. The proposal will also maintain the heritage character of Lower Princess Street, which is noted in the Official Plan as an important cultural heritage resource. The conversion of the building will not have negative impacts on surrounding properties. The proposal meets the intent of the applicable Official Plan policies.

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 introduction of residential units and the two-storey rear addition within the existing building footprint will not have adverse impacts on adjacent properties or on the public realm. The two-storey height, which is consistent with what existing on the block, aligns with the existing heights in the immediate area and will not result in increased shadowing, wind or intrusive overlook. The heritage impacts and specific design elements of the addition have been assessed through the Heritage Impact Statement and the addition is deemed compatible. The elevations of the heritage building along Sydenham and Princess Streets will remain unchanged, with the exception of the small addition. There are no natural heritage features in the immediate area. The application will be subject to Site Plan Control, at which time aspects such as noise, lighting and drainage will be further reviewed.

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;

The stairway addition on Sydenham Street is being included in order to provide adequate egress for the residential units. The retail uses will still be accessed from their Princess Street frontages. Given the existing lot coverage on the site, pedestrian access is provided from the building directly to the Sydenham and Princess Street sidewalks, which have recently been upgraded. This is in keeping with the downtown character, where many buildings are built to front lot lines. Accessibility within the building will be in accordance with the Ontario Building Code. The application will be subject to Site Plan

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Control, at which time the City's Municipal Accessibility Advisory Committee will review and comment on the design details of the application.

As supported by the submitted scoped parking study, residents will have access to parking options located with walking distance, with the property owner having the ability to provide parking elsewhere downtown. The site is also within walking distance to a number of municipal parking spaces and lots.

Given the location of the site and the infrastructure and amenities available, this site provides the ability for residents to live a car free lifestyle. The property is centrally located in the downtown with abundant and direct access to transit and active transportation options. The building is providing 9 bicycle parking spaces, one per dwelling unit, within the building on the first storey next to the stairway access. These parking spaces are covered and secure and are easily accessed by residents. The property is located on Princess Street, being, an Arterial Road which offers express transit services, and is in close proximity to the Downtown Transfer Point which provides transit access throughout the city.

The proposed residential units are relatively small in size, with 3 one-bedroom and 6 two-bedroom units proposed. This means that the number of people living on the site will be limited, and each unit provides ample living space for its residents in the form on an open concept kitchen and living/dining room area on the main floor. These are functional and desirable unit types to add to the downtown housing stock. Two of the two-bedroom units are offering amenity space in the form of external balconies located at the rear of the property. All units benefit from the walkability and amenity of the area, with both Artillery Park and McBurney Park within walking distance, and the waterfront easily accessed by walk, bicycle or transit.

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 submitted Heritage Impact Statement reviewed the proposed addition as it relates to the existing heritage building on the site. The addition is small in size and will not detract from the heritage value of the existing building. The addition visible from the street will utilize significant glazing in order to clearly distinguish it from the heritage building and communicate its modern addition. No other changes to the heritage building along the Sydenham Street or Princess Street frontages are proposed.

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;

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A Heritage Impact Statement was completed by a qualified person and submitted in support of this application. The submission has been reviewed by heritage planning staff and the proposal has been reviewed by Heritage Kingston related to the demolition of the modern addition. The cultural heritage value of the building will be maintained. Staff will be working to secure protection of the property under the *Ontario Heritage Act*, either through an individual designation or a heritage easement agreement in the near future.

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 property is within the City's Urban Boundary, and specifically within an area that has recently benefitted from servicing upgrades. Further details related to servicing will be reviewed through the Site Plan Control process by Utilities Kingston to ensure the residential units will be adequately serviced.

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;

As per Section 2.2.7, the City's existing Centres will be the areas where intensification will be focused and where greater densities of residential and non-residential development will be focused. The Downtown and Harbour Zoning By-Law encourages the conversion of upper storeys of older commercial buildings within the downtown core which is maintained within existing building envelopes and will not adversely impact neighbouring properties. The proposed conversion aligns with the intent of both the Official Plan and zoning by-law and does not represent an over development of the site. The relief requested is adequately addressed through a minor variance process, as described throughout this report.

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, 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;

Recommended conditions are included in Exhibit A. The proposal will also be subject to Site Plan Control approval.

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

This type of residential conversion is desirable and fulfills many objectives of the City's planning policy framework and of recent Council priorities. As such, this type of project sets a positive precedent for the adaptive reuse City's downtown heritage buildings. Any similar application would be reviewed based on its own merits to determine whether the proposed development is appropriate and desirable within its own context.

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The proposal meets the intent of the Official Plan, as the proposed residential units will provide residential intensification within the city's Central Business District, while continuing to provide at-grade commercial uses on the site and also maintaining a cultural heritage resource 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 the Heritage Commercial – C1-3 zone in the City of Kingston Zoning By-Law Number 96-259, entitled "Downtown and Harbour Zoning By-Law of the Corporation of the City of Kingston", as amended (Exhibit E). As in the parent Central Business System – C1 zone, the C1-3 zone permits a wide variety of commercial uses, as well as mixed commercial/residential development. The C1-3 zone contains special provisions related to building height, and is currently generally applied to properties fronting onto the lower portion of Princess Street, where a number of shorter heritage commercial buildings are located.

Zoning By-Law Number 96-259 encourages the introduction of residential uses into the upper storey(s) of older commercial buildings within the downtown core. Specifically, the parent C-1 zone contains a provision (Section 7.2.4), which exempts these interior conversions from yard, lot coverage, and amenity area requirements of the by-law. The provision is clear that these exemptions to residential conversions only in or above the second storey, and only where there is no expansion or enlargement of the external walls or roof of the existing building. The intent of these specifications is to facilitate straight-forward conversions and to ensure that more intensive redevelopments (i.e. additional residential storeys or expansions to building footprints), are considered within the entire framework of the by-law.

In this case, the applicants are proposing additions at the north side of the building to accommodate the proposed floor plan. As such, Section 7.2.4 cannot be applied to this project. The northern additions will be within the existing footprint of the commercial building. The stairway addition will not accommodate any residential floor space, and will allow for a more functional layout for occupants. The addition at the northeast of the building, which will contain new floor space for residential use, will be above the existing first-storey commercial space and will be no taller than the existing building. This addition does not represent new lot coverage on the site, will not have adverse impacts on neighbouring properties, and will not be readily visible from the public realm. As such, the proposed development meets the general intent of the Zoning By-Law to utilize existing commercial heritage buildings in the downtown core as prime locations for compatible residential intensification which does not have any negative impacts on neighbouring properties or on the public realm.

The maximum permitted density within the C1-3 Zone is 123 units per net hectare. The zoning by-law therefore already contemplates a high-density residential use, similar to the Official Plan policies for Centres. The introduction of 9 dwelling units on the subject site constitutes a residential density of 144 units per net hectare. The lot size would currently

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permit 8 residential units “as of right”; meaning that the relief requested is for the ninth residential unit. The ninth residential unit can be accommodated within the existing lot coverage and will not add additional height on the site. The proposed residential density therefore meets the general intent of the zoning by-law.

The zoning by-law requires 10 square metres of amenity space per residential dwelling unit, which would require 90 square metres in this case. The applicants are requesting relief from this provision as they are unable to provide amenity space for seven of the nine proposed units. Units number 7 and 8, as shown on the proposed floor plans, will provide private amenity space in the form of balconies above the rear courtyard area. Both of the private balcony areas will exceed the minimum per-unit requirements of the zoning by-law. The remaining seven units will not have exterior amenity space, as the existing lot coverage does not allow for any at-grade space, and the applicants have indicated the roof-area is not conducive to amenity space. A number of skylights in the roof are required in order to provide light to the loft bedrooms, and the roof is not accessible from the units. Section 7.2.4 of the zoning by-law exempts internal conversions from amenity space requirements of the by-law; thus signalling that the intent of the by-law is to accommodate residential units while understanding the limitations related to communal space for existing buildings downtown. The property is centrally located and within walking distance to municipal sites including McBurney Park and Artillery Park, which offer amenity for residents. The city’s waterfront is also easily accessed via walk, bicycle or transit. The proposed amenity space on the site is consistent with the general intent of the zoning by-law and its existing considerations related to internal conversions.

The zoning by-law requires the provision of one parking space per residential unit to provide transportation options to residents who reside within the building. These ratios have been in the by-law for a number of decades and parking ratios are currently being reviewed through the City’s consolidated zoning by-law project. Reductions to required parking ratios are often sought within the downtown core, where access to transit and increased walkability provide users alternative options that align with the City’s desired modal-share shift. In this case, a reduction of 9 vehicular spaces to 0 parking spaces is requested. Given that the existing building covers nearly 100 percent of the lot, there is no ability to provide at-grade or below-grade parking on the site. The building will be providing 9 bicycle parking spaces. The zoning by-law does offer off-site parking or cash-in-lieu of parking alternatives for those sites within the downtown area which are unable to provide on-site parking. These provisions acknowledge that providing on-site parking is not always possible or desirable within the downtown area. In this case, cash-in-lieu of parking is not being sought as the City’s Parking Division has commented that alternative approaches, such as off-site parking agreements or a minor variance, are preferred. There are currently no plans for the City to provide additional off-street parking spaces to support long-term parking for residential development downtown.

The applicants have acknowledged that they have a number of properties available to them which can provide off-site parking arrangements for tenants on an as-needed basis. The owners do not wish to encumber these properties with formal agreements in order to provide flexibility based on tenant up-take, and as such, are requesting relief from the

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parking requirements of the by-law. The location of the property, with direct access to express transit services and its walkability to commercial, recreational, open space and employment uses, alongside the availability of parking options for users as described above, and the provision of secure bicycle parking spaces in the building, satisfies the intent of the Zoning By-Law to provide adequate mobility options for residents. The applicants have submitted a Scoped Parking Review (attached as Exhibit I) in support of the request.

Variance Number 1:

By-Law Number 96-259:	Section 7.2 – Maximum Density
Requirement:	123 units per net hectare
Proposed:	144 units per net hectare
Variance Requested:	21 units per net hectare

Variance Number 2:

By-Law Number 96-259:	Section 5.5.1 – Amenity Area
Requirement:	10 square metres per unit (90 square metres in total)
Proposed:	26.5 square metres for two units
Variance Requested:	0 square metres for seven units

Variance Number 3:

By-Law Number 96-259:	Section 5.22.5.2 – Off-Street Residential Parking Ratio
Requirement:	1 parking space per unit (9 parking spaces in total)
Proposed:	0 parking spaces
Variance Requested:	9 parking spaces

3) The variance is minor in nature:

The determination of whether a variance can be considered minor in nature is not based on a specific number or percentage of relief, but rather on the effect of that relief on the functionality of the site. The variances requested are considered minor in nature as they will allow for the introduction of functional and desirable residential units within the existing building, and are required in order to respect the size and location of the heritage building on the site. The zoning by-law facilitates relief related to parking and amenity space for similar situations, and thus contemplates this type of relief as reasonable. Where new developments have the ability to influence site layout and to provide underground parking options, for example, the existing heritage building with almost 100 percent lot coverage requires creativity and adaptability in order to ensure its effective reuse. The applicants have confirmed through the submitted documents that the site will function effectively for users at the density proposed.

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

This heritage building is an important part of the Princess Street streetscape and, being at the northwest corner of the site, is readily visible when commuting west on lower Princess

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Street downtown. The proposal to adaptively reuse the second storey of the commercial building will contribute to the conservation and ongoing viability of the building. The introduction of one- and two-bedroom residential units in this central location will provide additional housing options for the city’s population. The proposal represents gentle residential intensification which will not have negative impacts on neighbouring properties and will contribute to the vitality of the downtown core. Through the submitted supporting documentation, the applicants have confirmed that the site will be functional for its users. The variances, if approved, will facilitate a desirable and appropriate use of the land.

Technical Review: Circulated Departments and Agencies

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Building Services | <input checked="" type="checkbox"/> Engineering Department | <input checked="" type="checkbox"/> Heritage (Planning Services) |
| <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 checked="" 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 correspondence has been received related to this application. 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

The proposed changes on the site will be subject to Site Plan Control approval prior to the issuance of Building Permits, in accordance with the City’s Site Plan Control By-Law. As of the writing of this report, a Site Plan Control application submission has not yet been made.

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 96-259. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variances 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.

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Approval of this application will permit the introduction of eight residential units within the second storey of the existing building, as well as additions within the existing building footprint at the north side of the building to accommodate a ninth residential unit and an enclosed stairway.

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, 2020

Municipal

City of Kingston Official Plan

Zoning By-Law Number 96-259 (Downtown and Harbour)

Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on August 24, 2020. Pursuant to the requirements of the *Planning Act*, a notice of the Statutory Public Meeting was provided by advertisement in The Kingston Whig Standard at least 10 days in advance of the Public Meeting. A courtesy notice was also 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

Genise Grant, Intermediate Planner 613-564-4291 extension 3185

Other City of Kingston Staff Consulted:

None

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Exhibits Attached:

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Neighbourhood Context Map
- Exhibit D Official Plan Map
- Exhibit E Zoning By-Law Map
- Exhibit F Site Photographs
- Exhibit G Existing and Proposed Floor Plans
- Exhibit H Heritage Impact Statement
- Exhibit I Scoped Parking Review
- Exhibit J Planning Justification Report

Recommended Conditions

Application for minor variance, File Number D13-025-2020

Approval of the foregoing application shall be subject to the following recommended conditions:

1. Limitation

That the approved minor variance applies only to the introduction of 9 residential dwelling units on the site and the proposed two-storey additions at the rear of the building, 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. Site Plan Control Requirements

The owner/applicant shall obtain Site Plan Control approval for the proposed development, in accordance with Site Plan Control By-Law Number 2010-217.

4. 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.

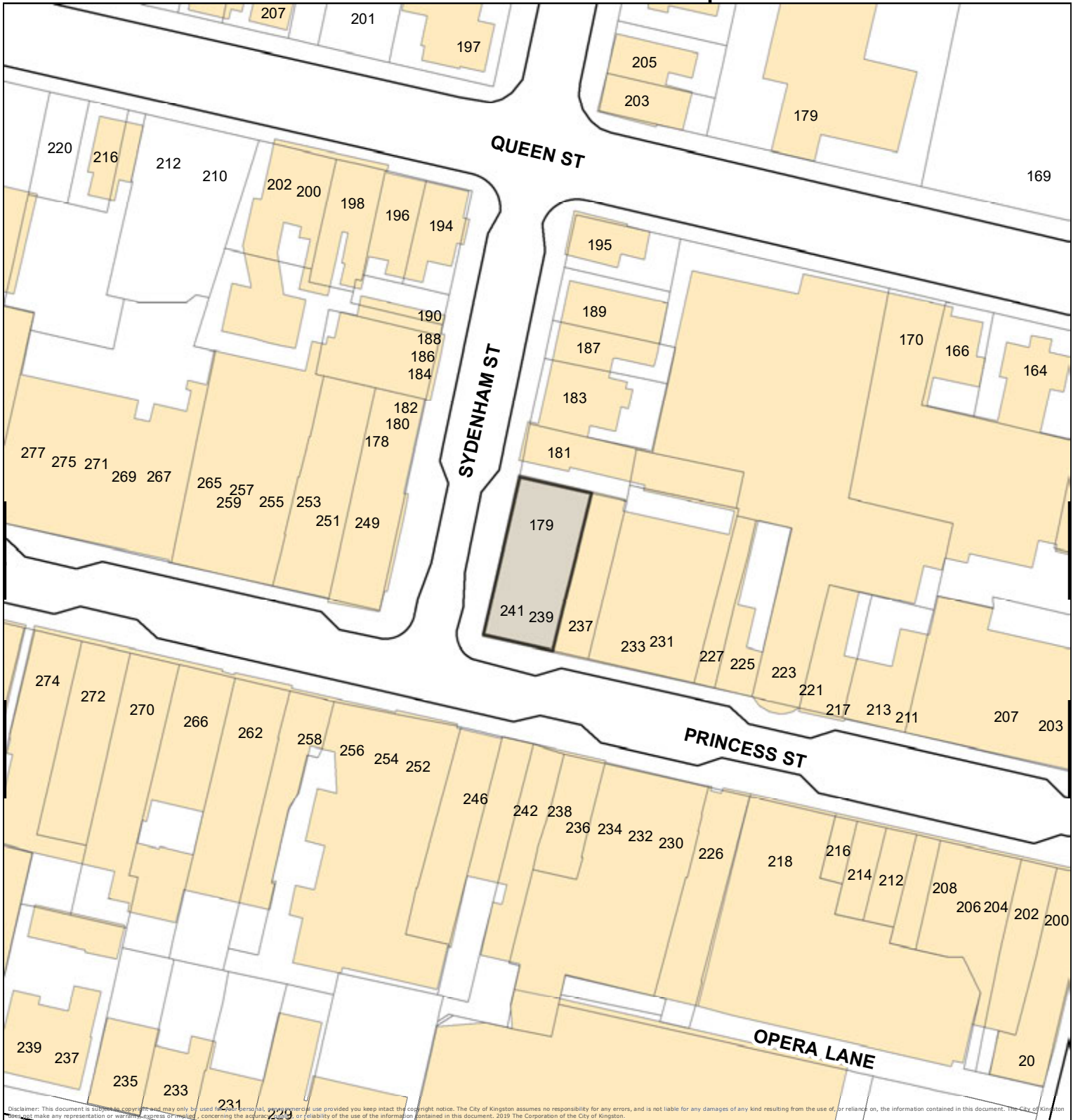
The drawings submitted with the Building Permit application must, in the opinion of the City, conform to the general intent and description of the approved drawing(s), including any amendments and conditions approved by the Committee of Adjustment, as stated in the decision. It must be noted that additional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

5. 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 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 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 Services (613-546-4291, extension 3180) must be immediately contacted.

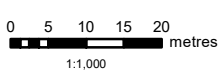


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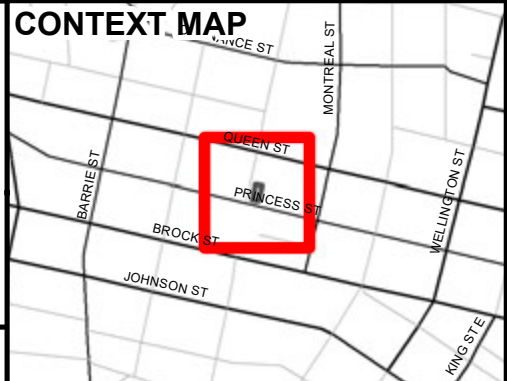


COMMITTEE OF ADJUSTMENT
Key Map

File Number: D13-025-2020
Address: 179 Sydenham St



DATE: 2020-06-10
PREPARED BY: akeeping



Lands Subject to Minor Variance



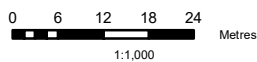
Corporation of the City of Kingston




Planning Services
a department of
Community
Services

COMMITTEE OF ADJUSTMENT
Neighbourhood Context (2019)

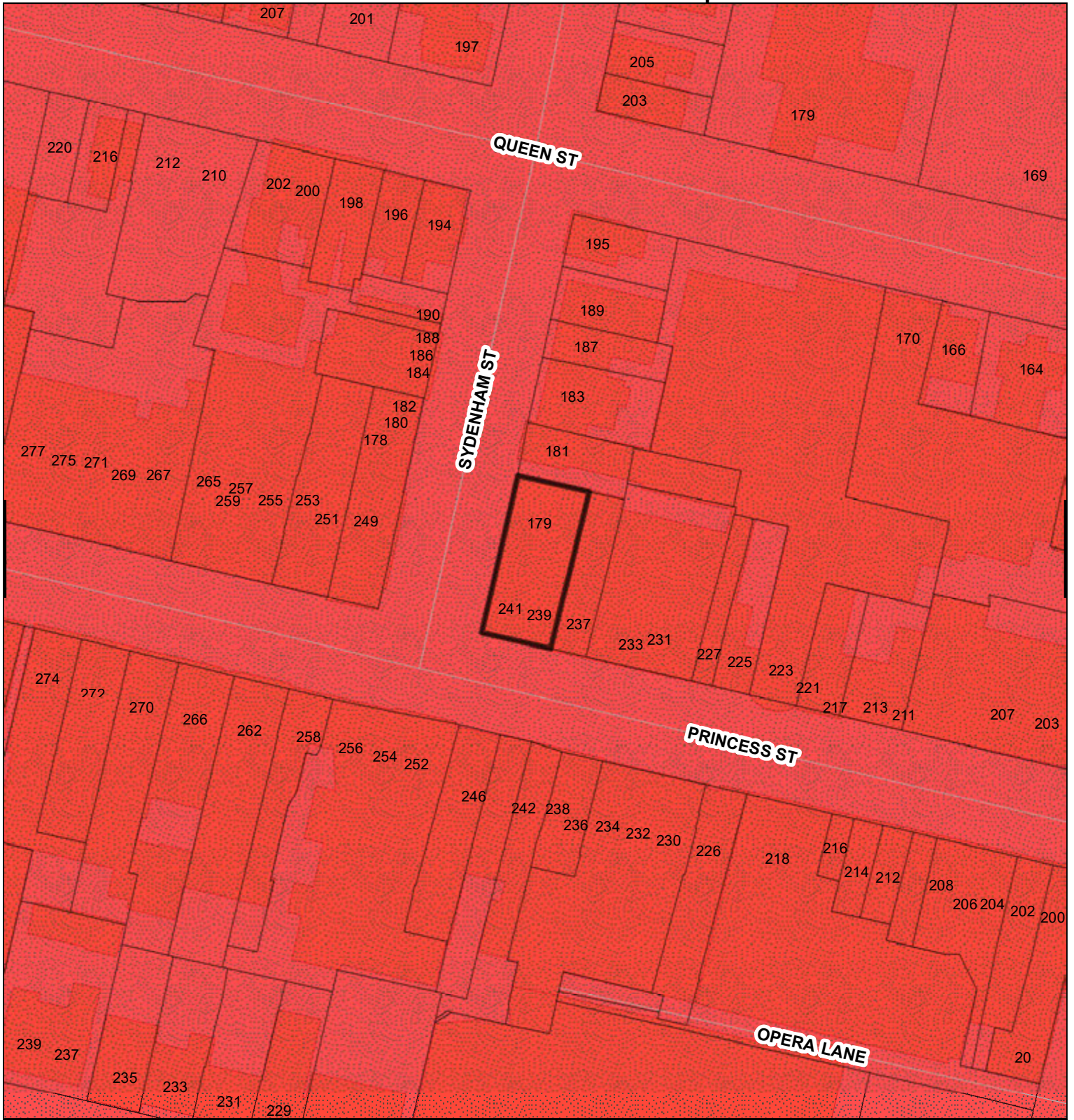
File Number: D13-025-2020
Address: 179 Sydenham St



Legend

-  Subject Lands
-  Property Boundaries

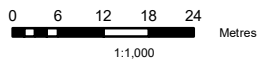






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a department of
Community
Services

COMMITTEE OF ADJUSTMENT
Official Plan, Existing Land Use

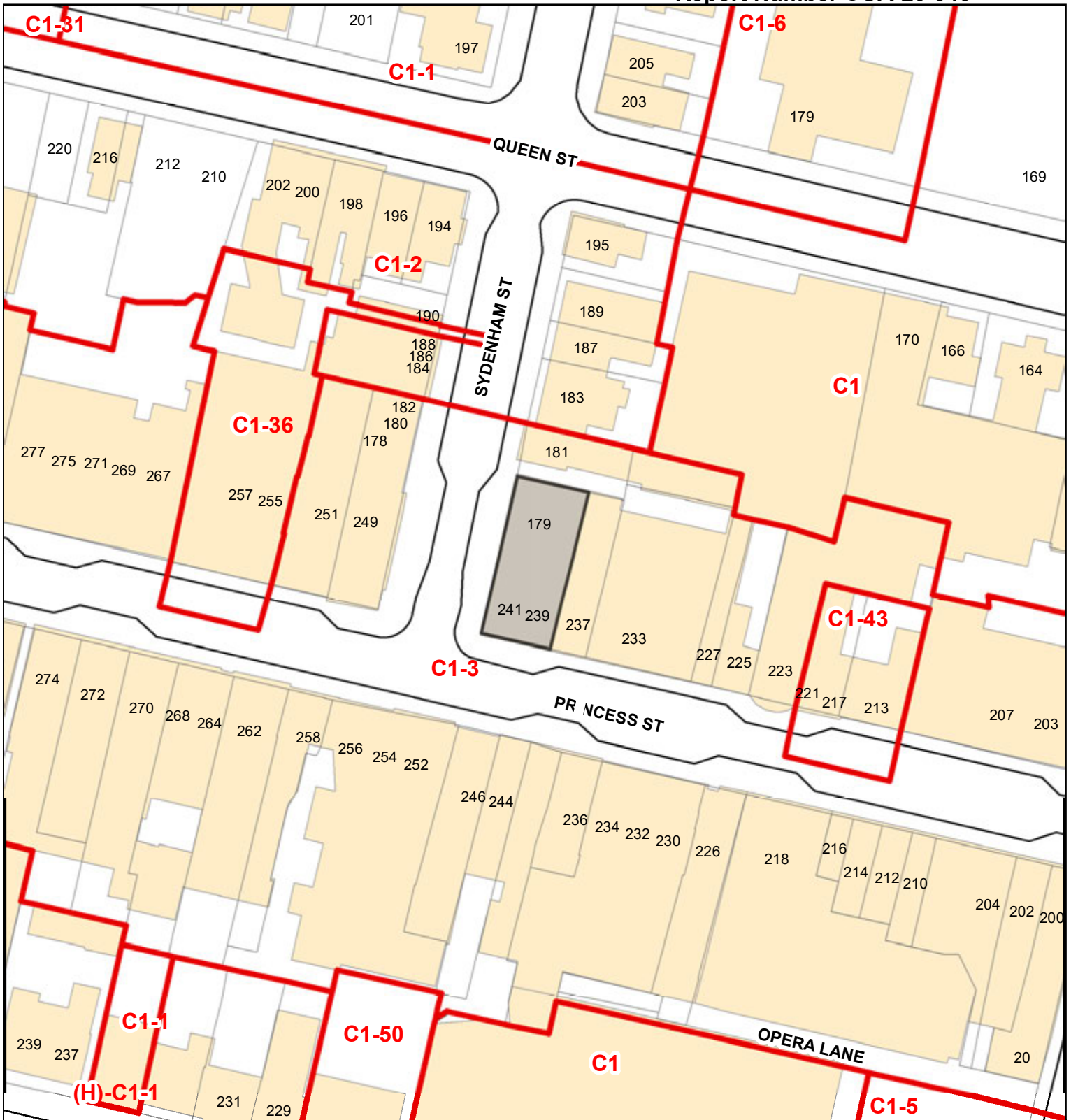
File Number: D13-025-2020
Address: 179 Sydenham St



Legend

-  Subject Lands
-  CENTRAL BUSINESS DISTRICT





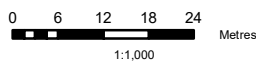


COMMITTEE OF ADJUSTMENT
Existing Zoning - By-law 96-259, Map 1

File Number: D13-025-2020
Address: 179 Sydenham St

Legend

-  Subject Lands
-  Consolidated Zoning





PRINCESS STREET LOOKING NORTH-EAST



CORNER OF PRINCESS
STREET AND SYDENHAM
STREET



SYDENHAM
STREETLOOKING SOUTH-
EAST



LANEWAY BETWEEN 179 &
181 SYDENHAM STREET



STREETSCAPE
ALONG SYDENHAM



RESIDENTIAL DEVELOPMENT - 179 SYDENHAM STREET



DRAWING LIST:
ARCHITECTURAL

A0.1 COVER PAGE, DRAWING LIST, CONTACTS

EXISTING SURVEY

A1.1 SITE PLAN

A2.1 EXISTING GROUND FLOOR PLAN
A2.2 EXISTING SECOND FLOOR PLAN
A2.3 EXISTING ROOF PLAN
A2.4 PROPOSED GROUND FLOOR PLAN
A2.5 PROPOSED SECOND FLOOR PLAN
A2.6 PROPOSED LOFT LEVEL FLOOR PLAN
A2.7 PROPOSED ROOF PLAN

A3.1 EXISTING WEST ELEVATION
A3.2 EXISTING SOUTH & NORTH ELEVATIONS
A3.3 PROPOSED WEST & NORTH ELEVATIONS

01 DRAWING LIST
01.1

STATISTICS:
EXISTING:

GROUND FLOOR G.F.A.	6,580.3 s.f. /	612.1 s.m.
SECOND FLOOR G.F.A.	5,121.2 s.f. /	476.4 s.m.
TOTAL EXISTING G.F.A.	11,701.5 s.f. /	1,088.5 s.m.

EXISTING COMMERCIAL G.F.A. (GROUND FLOOR) 6,580.3 s.f. / 612.1 s.m.
EXISTING OFFICES G.F.A. (SECOND FLOOR) 5,121.2 s.f. / 476.4 s.m.

PROPOSED:

GROUND FLOOR G.F.A.	6,238.8 s.f. /	579.6 s.m.
SECOND FLOOR G.F.A.	5,947.4 s.f. /	552.5 s.m.
NEW LOFT G.F.A.	4,204.3 s.f. /	390.6 s.m.
TOTAL PROPOSED G.F.A.	16,390.5 s.f. /	1,522.7 s.m.

PROPOSED AMENITY SPACE (SECOND FLOOR TERRACES) 285.5 s.f. / 26.5 s.m.

PROPOSED COMMERCIAL G.F.A. (GROUND FLOOR)	5,501.7 s.f. /	511.1 s.m.
PROPOSED RESIDENTIAL G.F.A. (GROUND FLOOR)	759.6 s.f. /	70.6 s.m.
PROPOSED RESIDENTIAL G.F.A. (SECOND FLOOR)	5,947.4 s.f. /	552.5 s.m.
PROPOSED RESIDENTIAL G.F.A. (LOFT LEVEL)	4,204.3 s.f. /	390.6 s.m.
PROPOSED RESIDENTIAL G.F.A. (TOTAL)	10,911.3 s.f. /	1013.7 s.m.

02 DRAWING LIST
02.1

RESIDENTIAL DEVELOPMENT

179 SYDENHAM STREET
KINGSTON, ON
K7K 3M1
22001

PROJECT NAME:
PROJECT LOCATION:
PROJECT NO.:

CLIENT:
KEYSTONE PROPERTY MANAGEMENT INC.

ORIGINAL PAGE BEE ARCH-0 - 24 x 36"

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THE VENIN GROUP LTD
TORONTO
BRANFORD
OTTAWA

AFFILIATED OFFICES:

RE-ISSUED FOR:
MINOR VARIANCE

2020.07.06

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CLIENT:
KEYSTONE PROPERTY MANAGEMENT INC.
179 Sydenham Street
Kingston, Ontario
K7K 3M1
T: 613-546-5555

ARCHITECT:
+VG ARCHITECTS
72 STAFFORD STREET,
TORONTO, ONTARIO, CANADA
M6J 2R9
T: 416-588-6370
F: 416-588-6327
W: www.plusvg.com

CONTACT:
PIETRO FRENGUELLI
pfrengue@plusvg.com



PLAN OF SURVEY
OF PART OF LOT 312
ORIGINAL SURVEY
CITY OF KINGSTON
COUNTY OF FRONTENAC
SCALE: 1 : 100
5m 1 0 5 metres

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

LESLIE M. HIGGINSON SURVEYING Ltd.
2020

THIS REPORT WAS PREPARED FOR
MORT INVESTMENTS LIMITED & THE
UNDERSIGNED ACCEPTS NO RESPONSIBILITY
FOR USE BY OTHER PARTIES

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN
ACCORDANCE WITH THE SURVEY ACT, THE
SURVEYORS ACT, THE LAND TITLES ACT AND THE
REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 12TH
DAY OF MAY, 2020.

LESLIE M. HIGGINSON SURVEYING Ltd.
ONTARIO LAND SURVEYOR
KINGSTON, ONTARIO
MAY 19, 2020
DATE

Leslie M. Higginson
LESLIE M. HIGGINSON
ONTARIO LAND SURVEYOR



NOTE & LEGEND:

BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM
GPS OBSERVATIONS USING REAL TIME NETWORK (RTN) BASE
AND ROVER BASELINES AND ARE RELATED TO UTM ZONE 18,
(75° WEST LONGITUDE) NAD83 (CSRS) (2010.0).

COMPARISONS SHOWN IN BRACKETS ARE TO ASTRONOMIC BEARINGS
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 0.999783.

- | | | |
|------|---------|-------------------------|
| □ | DENOTES | SURVEY MONUMENT PLANTED |
| • | | SURVEY MONUMENT FOUND |
| SSB | | SHORT STANDARD IRON BAR |
| SB | | STANDARD IRON BAR |
| IB | | IRON BAR |
| CC | | CUT CROSS |
| CP | | CONCRETE PIN |
| WT | | WITNESS |
| CALC | | CALCULATED |
| S | | SET |
| M | | MEASURED |
| 1376 | | PETER S. HOPKINS O.L.S. |
| P1 | | PLAN 13R-15973 |
| P2 | | PLAN 13R-1599 |
| P3 | | PLAN 13R-14039 |
| C | | CONCRETE |
| CL | | CENTRELINE |
| SW | | SIDEWALK |
| SP | | SIGN POST |
| MH | | MANHOLE |
| CB | | CATCH BASIN |
| LP | | LIGHT POLE |
| WV | | WATER VALVE |
| GV | | GAS VALVE |
| FF | | FINISHED FLOOR |
| CH | | CEILING HEIGHT |

DECIMAL
SYMBOL 1/100 M
NODE - DESCRIPTION
(POINT OF MEASUREMENT)

ELEVATION NOTE:
ELEVATIONS SHOWN ARE GEODETIC AND HAVE BEEN DERIVED FROM
GPS OBSERVATIONS USING REAL TIME KINEMATIC (RTK)
BASE AND ROVER BASELINES

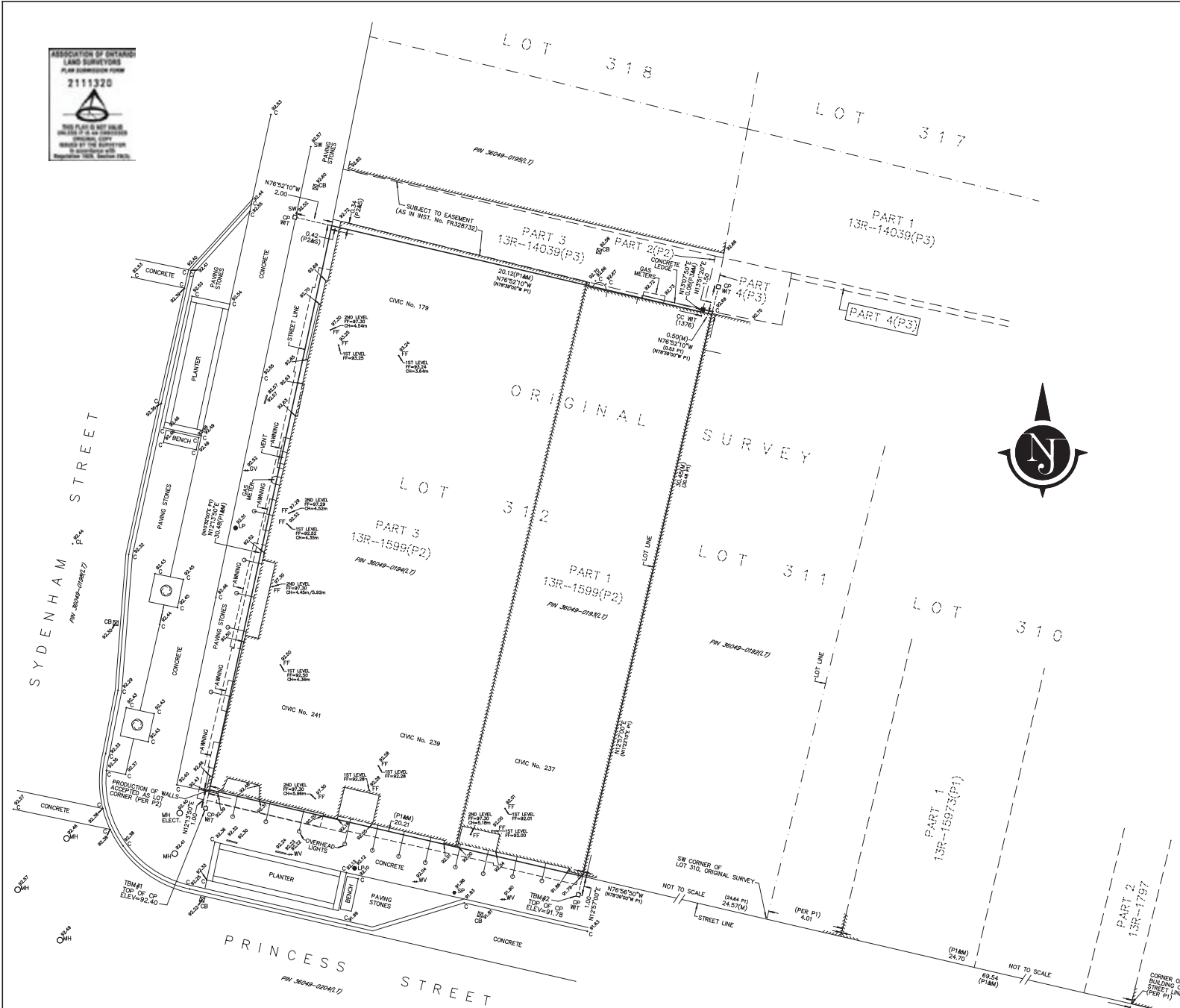
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DATED MAY 19, 2020

LESLIE M. HIGGINSON SURVEYING Ltd.
1064 GARDINERS ROAD
KINGSTON, ONTARIO K7H 1R7
(613) 389-7966 (FAX) 389-5078 or leslie@mhigginson.com
FILE: CITY O.S. 312 | 2020-0209 GNDC POS



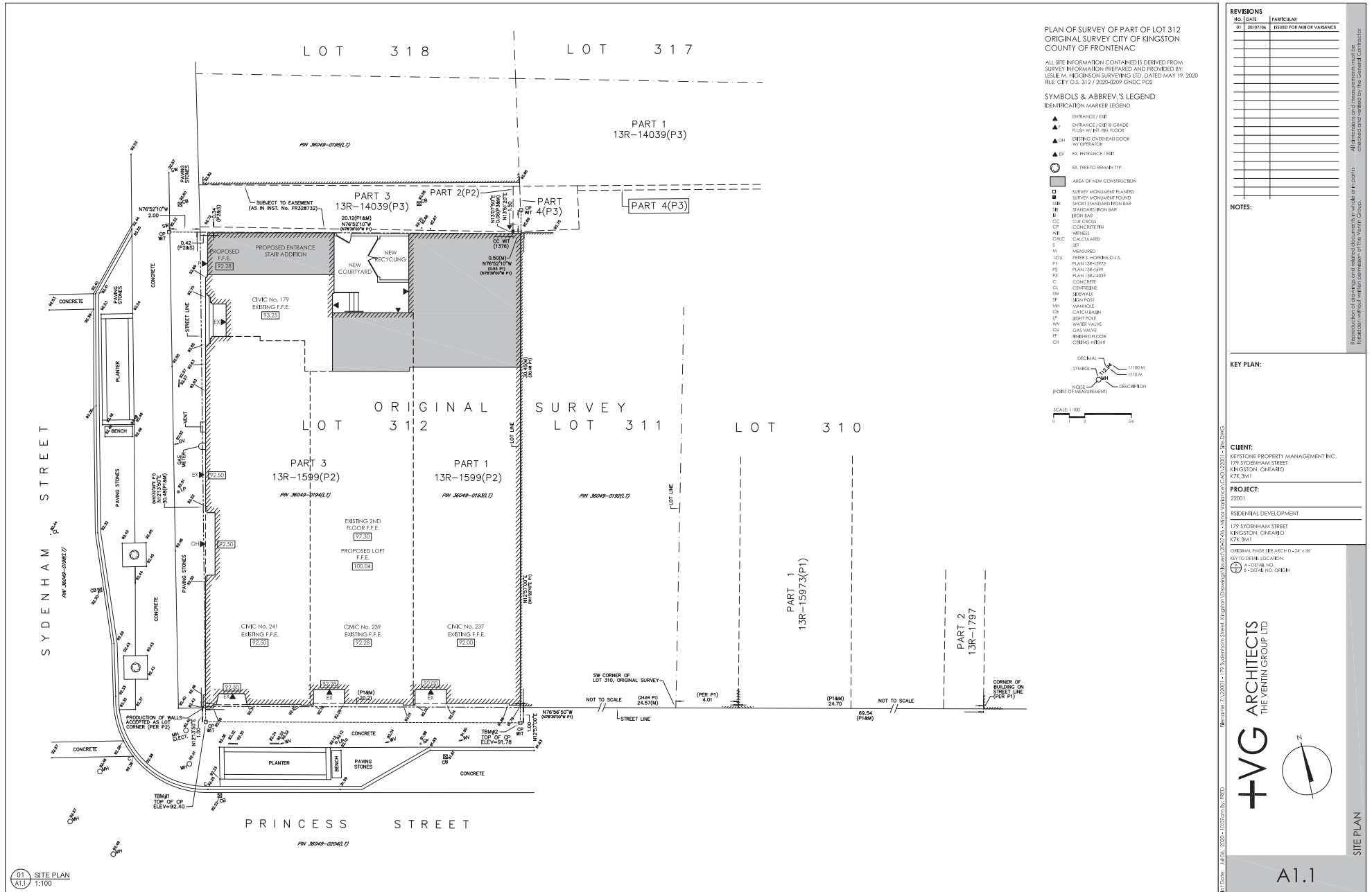


Exhibit G
Report Number COA-20-046

REVISIONS	
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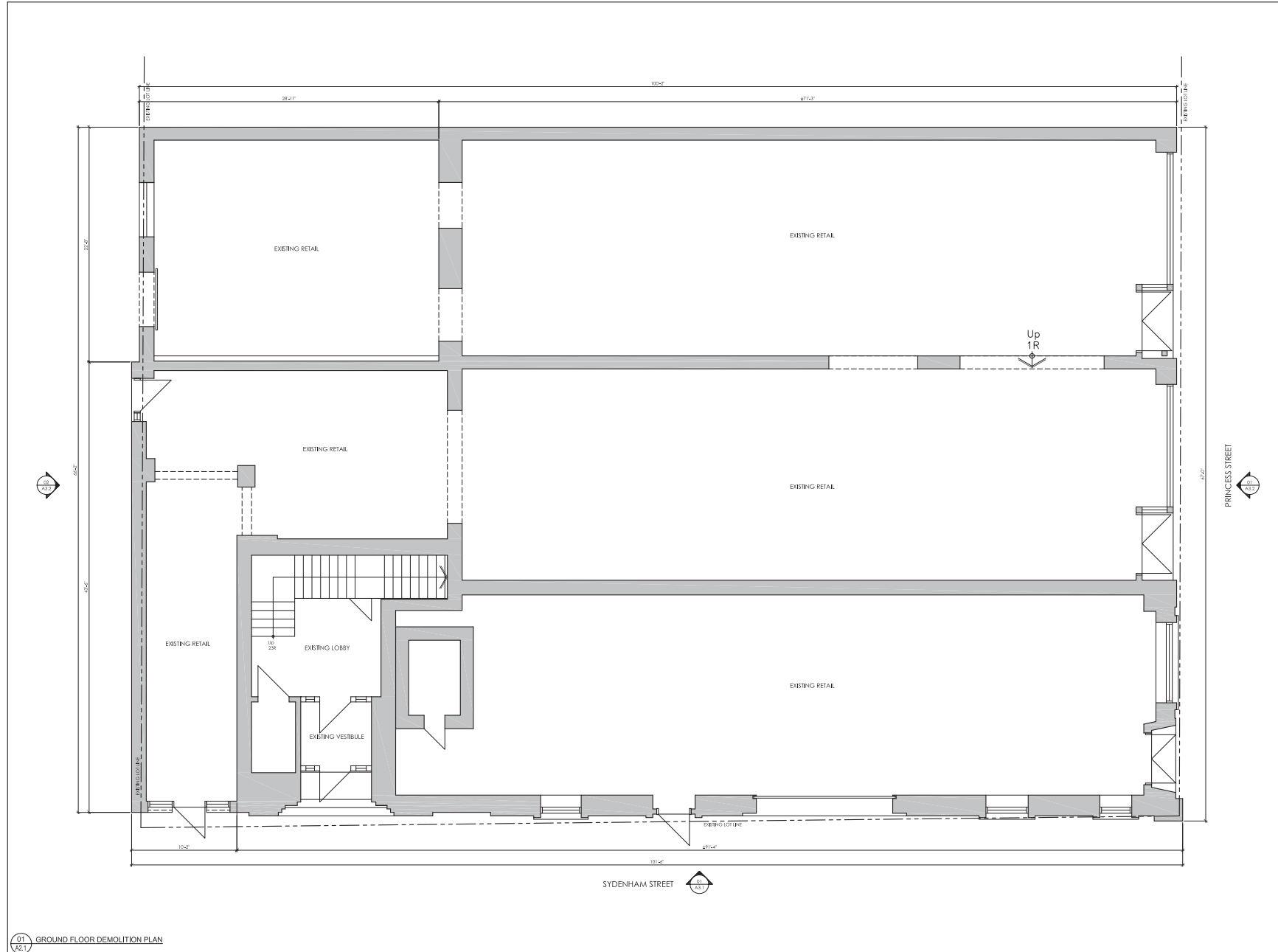
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179 SYDENHAM STREET
KINGSTON, ONTARIO
K7K 3M1

PROJECT:
22001
RESDENTIAL DEVELOPMENT
179 SYDENHAM STREET
KINGSTON, ONTARIO
K7K 3M1

ORIGINAL PAGE SEE ARCH'D - 24" x 36"
KEY TO DETAIL LOCATIONS:
A--DETAIL NO. 101
B--DETAIL NO. 102

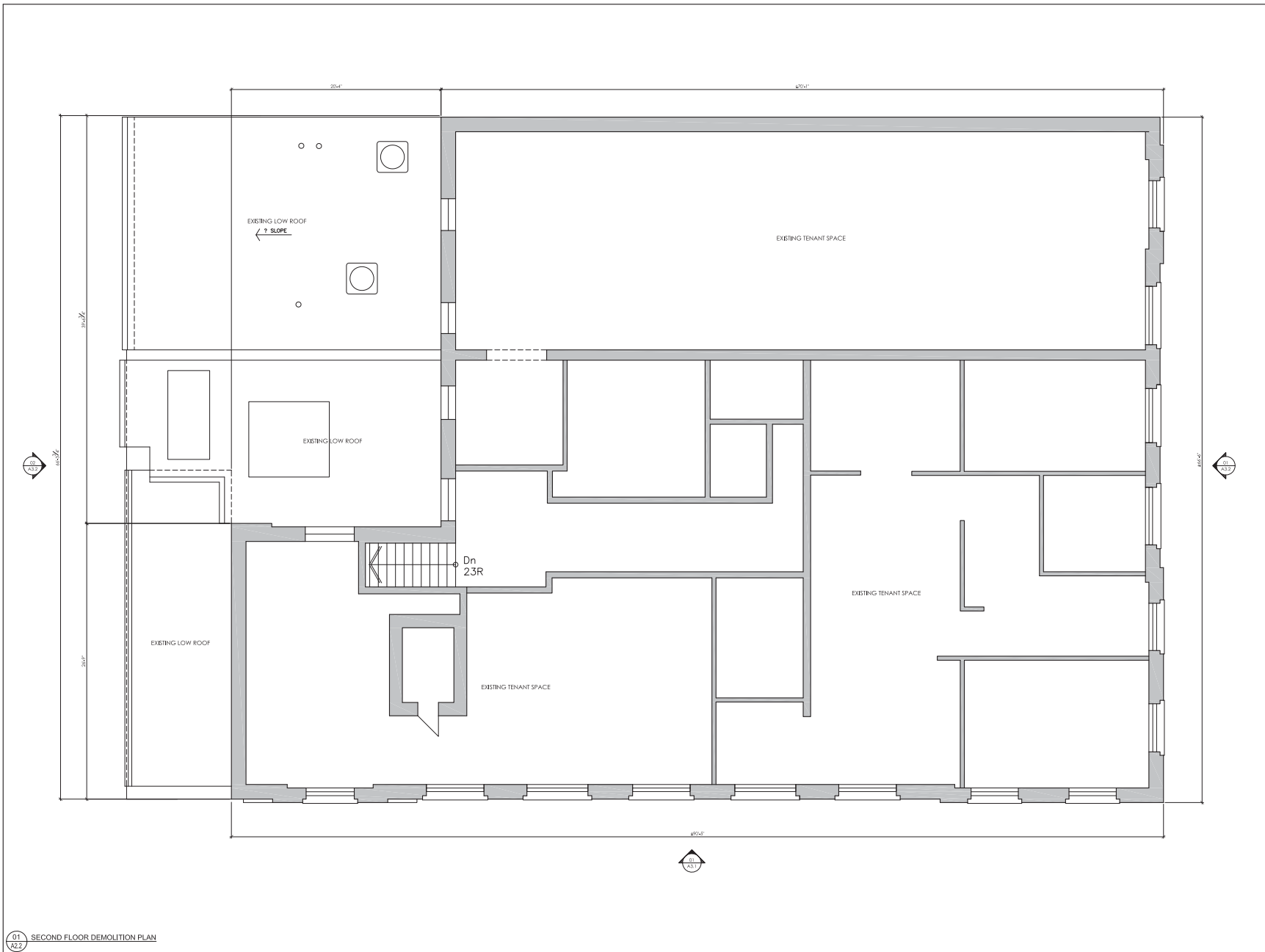


SCALE: SCALE
EXISTING GROUND FLOOR PLAN



A2.1

DRAWN BY: 1 CHECKED BY: 1



NO.	DATE	PARTICULAR
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NOTES:

KEY PLAN:

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KEYSTONE PROPERTY MANAGEMENT INC.
179 SYDENHAM STREET
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K7K 3M1

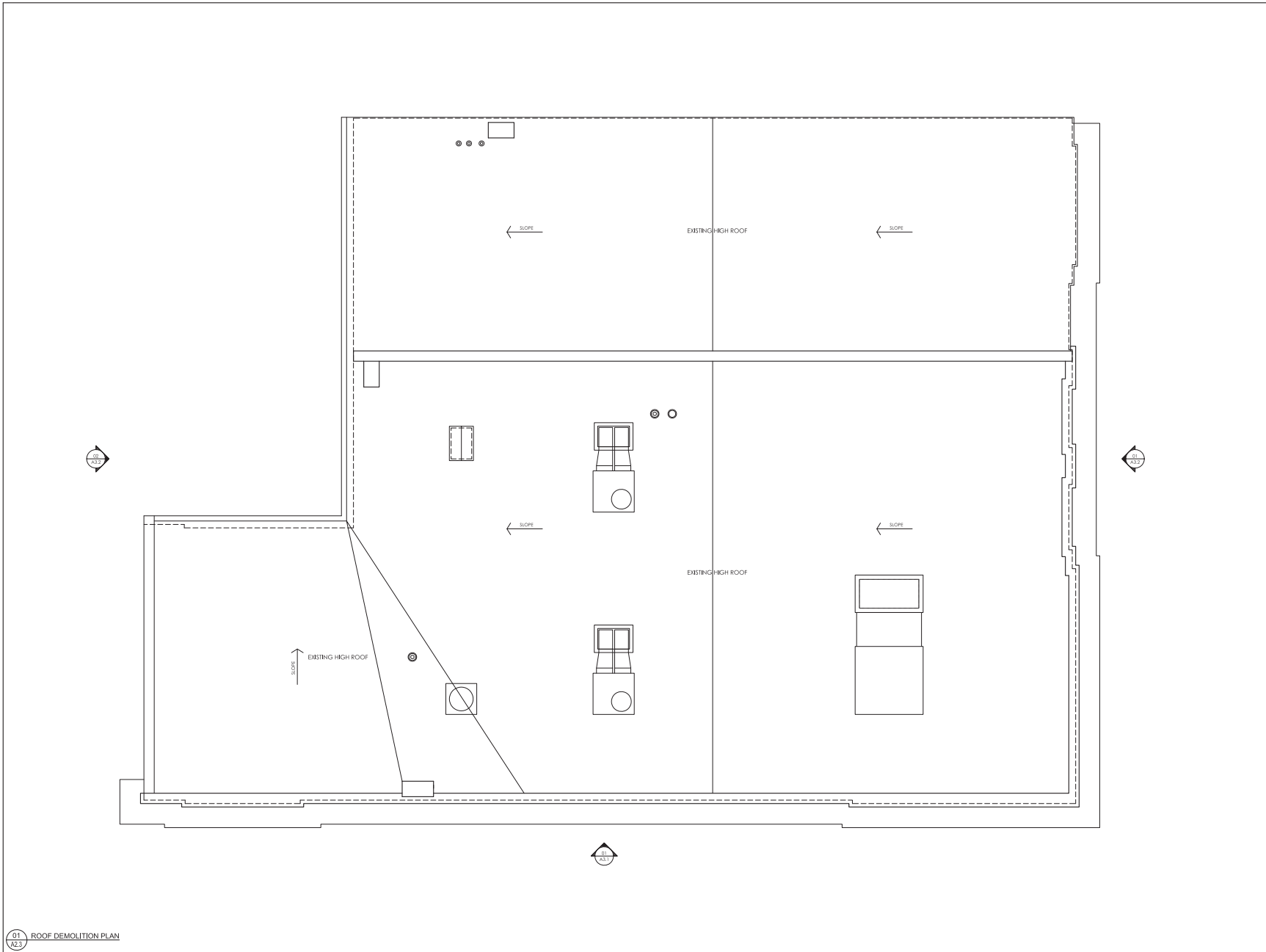
PROJECT:
22001
REIDENTIFICATION DEVELOPMENT
179 SYDENHAM STREET
KINGSTON, ONTARIO
K7K 3M1

KEY TO SYMBOL LOCATION:
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A - DETAIL NO.
B - DETAIL NO. CHECK



SCALE: 1/4" = 1'-0"

A2.2



01 ROOF DEMOLITION PLAN
02.3

REVISIONS

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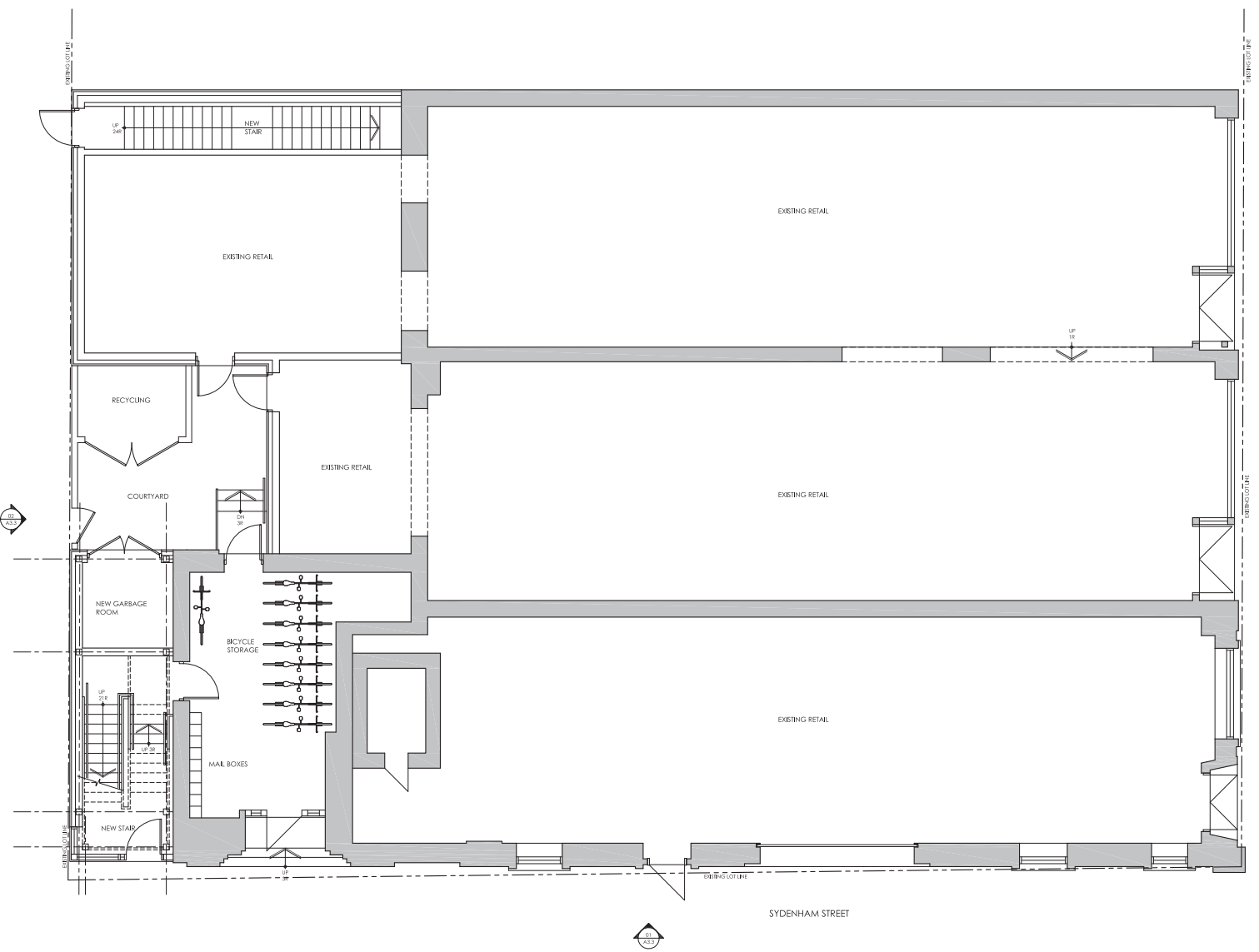
KEY PLAN:

CLIENT:
 KEYSTONE PROPERTY MANAGEMENT INC.
 179 SYDENHAM STREET
 KINGSTON, ONTARIO
 K7K 3M1

PROJECT:
 22001
 RESIDENTIAL DEVELOPMENT
 179 SYDENHAM STREET
 KINGSTON, ONTARIO
 K7K 3M1

ORIGINAL PAGE SIZE: ARCH D - 24" X 36"
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 B - DETAIL NO. CHECK

VG ARCHITECTS
 THE VENITY GROUP LTD.



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 KEYSTONE PROPERTY MANAGEMENT INC.
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 KINGSTON, ONTARIO
 K7K 3M1

PROJECT:
 22001
 RESIDENTIAL DEVELOPMENT
 179 SYDENHAM STREET
 KINGSTON, ONTARIO
 K7K 3M1

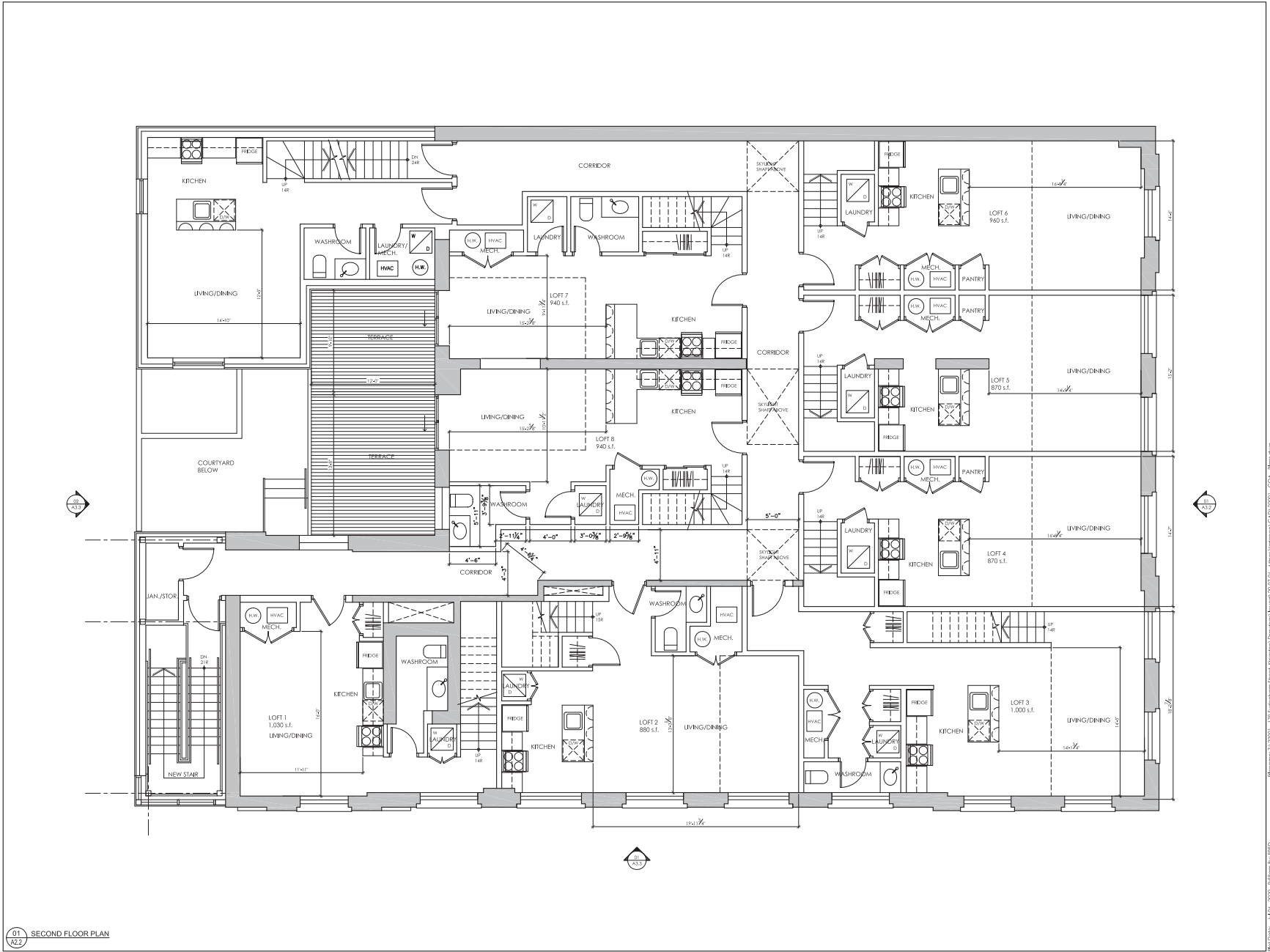
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01 GROUND FLOOR PLAN
02.1

SCALE: SCALE
 PROPOSED GROUND FLOOR PLAN

A2.4



REVISIONS

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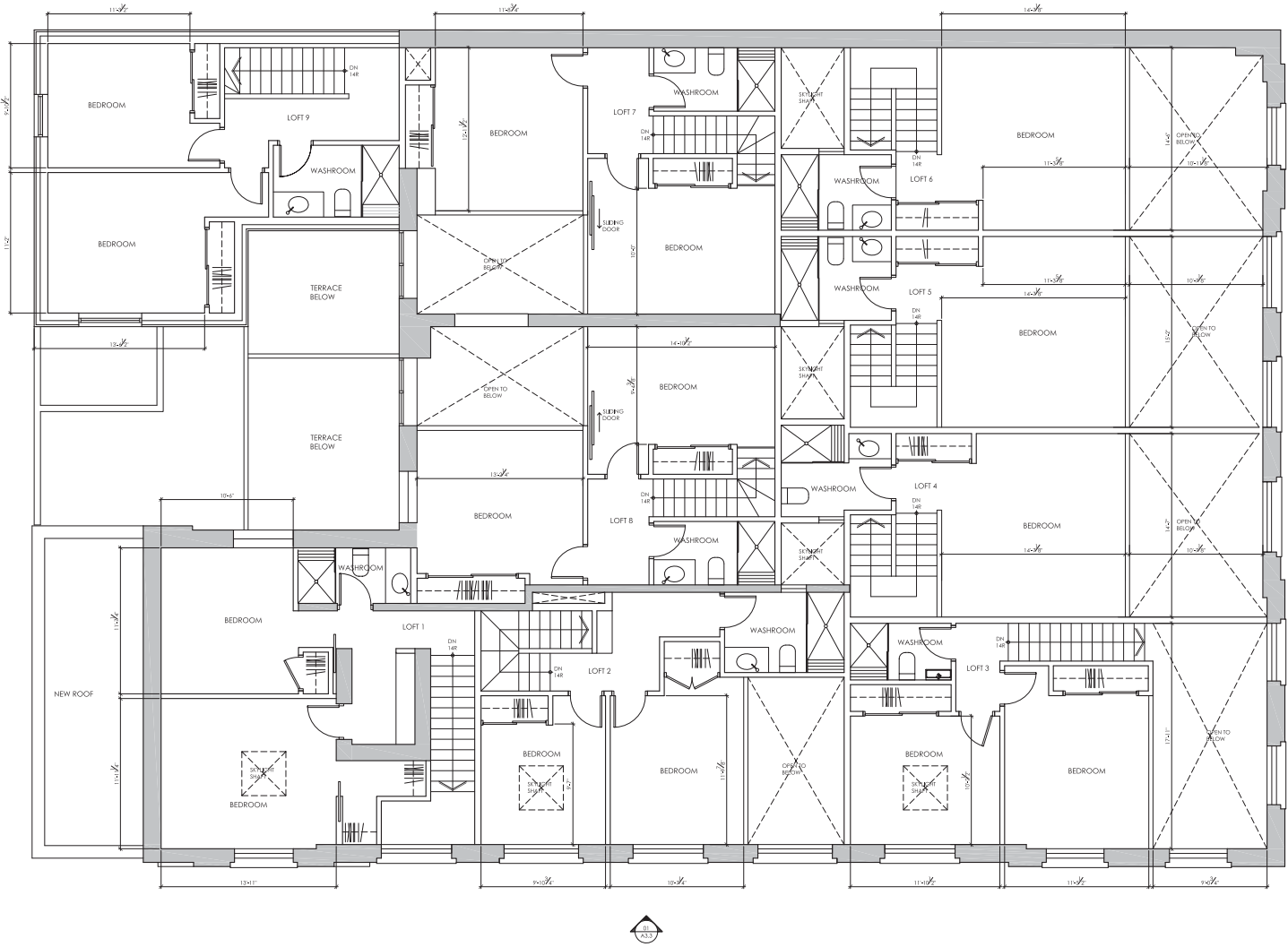
PROJECT:
22001
RESIDENTIAL DEVELOPMENT
179 SYDENHAM STREET
KINGSTON, ONTARIO
K7K 3M1

ORIGINAL PAGE SET ARCH D - 24" x 36"
KEY TO SYMBOL LOCATION:
A - DETAIL NO.
S - DETAIL NO. OTHER

VG ARCHITECTS
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A2.5

SCALE: 1/4" = 1'-0"



NO.	DATE	PARTICULAR
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02	25/04/23	RE-ASSUED FOR COA
03	25/07/24	RE-ASSUED FOR ANJOR VARIANCE

NOTES:

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K7K 3M1

PROJECT:
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RESIDENTIAL DEVELOPMENT
179 SYDENHAM STREET
KINGSTON, ONTARIO
K7K 3M1

ORIGINAL PAGE REF: ARCH-D-24'-3"x30"
KEY TO DETAIL LOCATION:
A - DETAIL NO.
4 - DETAIL NO. CHURN

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A2.6

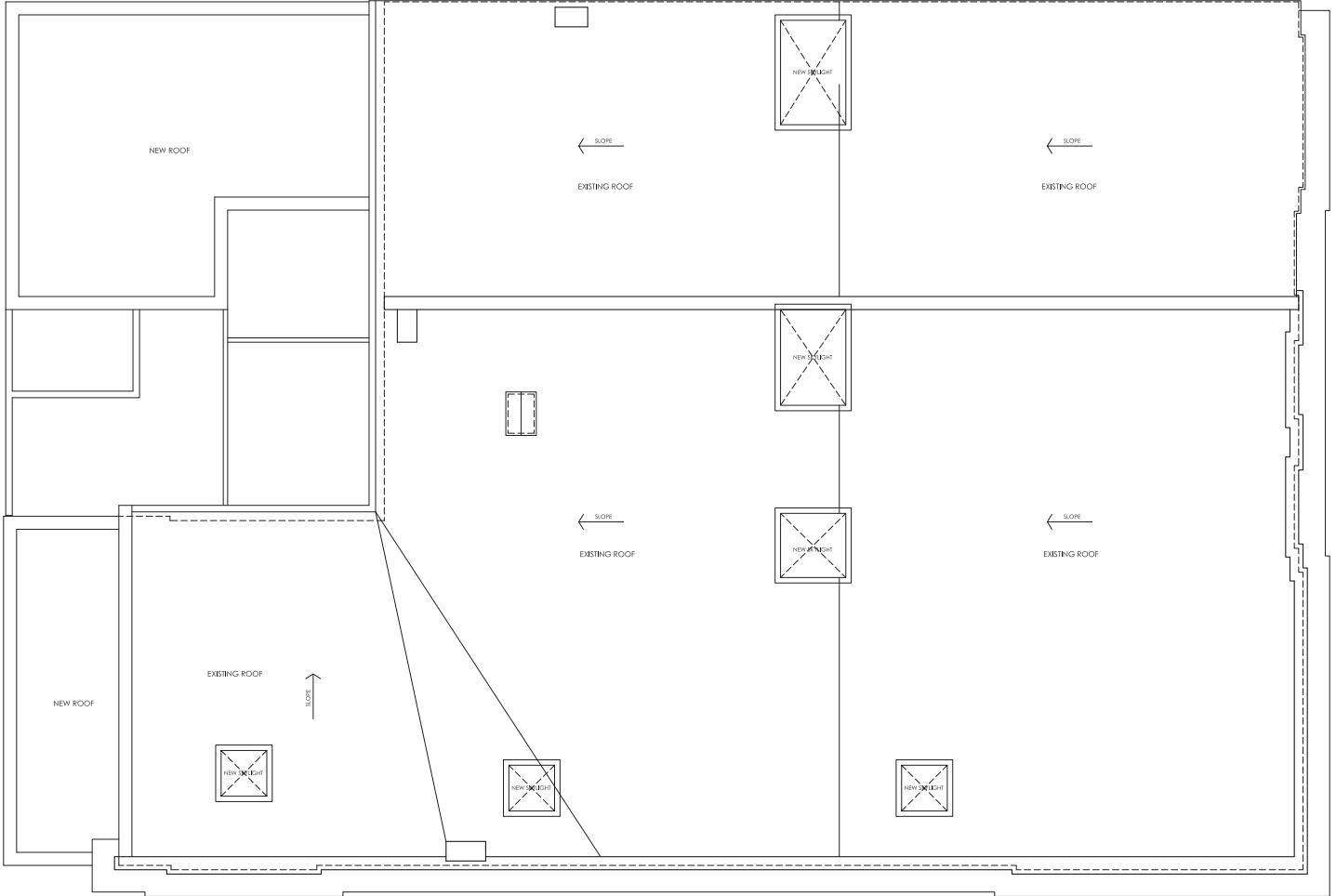
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DATE: 11/24/2024 2:29pm BY: REE

PLANNING: 1/2/2021 179 Sydenham Street, Kingston, Ontario, Canada K7K 3M1

SCALE: 1/4" = 1'-0"

PROPOSED LOFT LEVEL FLOOR PLAN



REVISIONS

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K7K 3M1

PROJECT:
22001
RECREATIONAL DEVELOPMENT
179 SYDENHAM STREET
KINGSTON, ONTARIO
K7K 3M1

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179 Sydenham Street, Kingston, Ontario, Canada K7K 3M1
 Telephone: 1-226-521-1122 • Fax: 613-341-5555
VG ARCHITECTS
 THE VENTURA GROUP LTD.

A2.7

SCALE: 1/4" = 1'-0"

PROPOSED ROOF PLAN

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02	20/07/20	RE-ASSUED FOR MINOR VARIANCE

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KEY PLAN:

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 179 SYDENHAM STREET
 KINGSTON, ONTARIO
 K7K 3M1

PROJECT:
 22001
 RESIDENTIAL DEVELOPMENT
 179 SYDENHAM STREET
 KINGSTON, ONTARIO
 K7K 3M1

ORIGINAL PAGE SET ARCH-D-24' x 30'
KEY TO DETAIL LOCATION:
 A- DETAIL NO.
 A'- DETAIL NO. OTHER


VG ARCHITECTS
 THE VENITY GROUP LTD

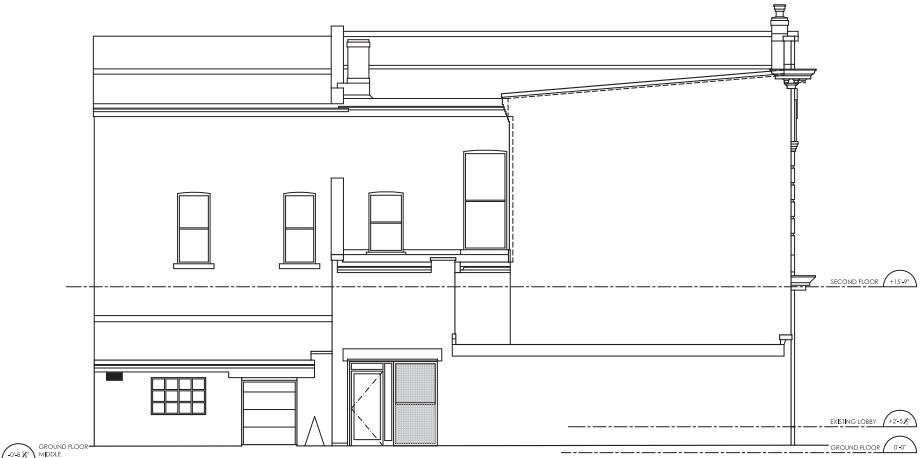
SCALE: 3/16" = 1'-0"
EXISTING WEST ELEVATION



01 EXISTING WEST ELEVATION



01 EXISTING SOUTH ELEVATION
A3.1



02 EXISTING NORTH ELEVATION
A3.2

REVISIONS

NO.	DATE	PARTICULAR
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02	28/07/24	RE-APPROVED FOR ANNOVAR VARIANCE

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179 SYDENHAM STREET
KINGSTON, ONTARIO
K7K 3M1

PROJECT:
22001
RENOVATION DEVELOPMENT
179 SYDENHAM STREET
KINGSTON, ONTARIO
K7K 3M1

ORIGINAL PAGE SIZE: ARCH-D - 24" x 36"
KEY TO DETAIL LOCATION:
A - DETAIL NO.
B - DETAIL NO. CHECK



A3.2

DRAWN BY: 1
CHECKED BY: 1

EXISTING SOUTH & NORTH ELEVATIONS
SCALE: 3/16" = 1'-0"



HERITAGE IMPACT ASSESSMENT
179 SYDENHAM STREET, 239 - 241 PRINCESS STREET
KINGSTON, ONTARIO

May 28, 2020

Heritage Impact Assessment
179 Sydenham Street, 239 - 241 Princess Street
Kingston, Ontario

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1.1.2: Neighbourhood Character, Setting and Land Use.....	5
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This Heritage Impact Assessment was prepared by the following:

Peter Berton
OAA, FRAIC, AIA, CAHP

Pietro Frenguelli
B Arch, AAR, CAHP

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SECTION
BACKGROUND AND CONTENT

1

1.1 Description of the Proposal:

The building at the southeast corner of Sydenham and Princess Streets, was constructed in 1891 as the “Oddfellows Building” and it is currently used as commercial retail space on the ground floor and office space on the second floor. The proposed design converts the upper level to 8 loft residences for graduate students, and removes the existing rear additions, and replace them with a new addition which will house additional commercial space on the ground and second floor. The addition also includes a second floor at the rear of the building facing the lane which will be ancillary to the commercial uses on the ground floor. The main intervention in this assessment is the impact of the demolition of the addition on the lane, and new addition and stairs at the east end of the Princess Street façade. The design proposes to remove the existing one-storey addition and replace it with a glass enclosed stair to the second level. This addition will not extend to the full height of the existing roof along Sydenham Street. Refer to Figure 1 Existing West Elevation and Figure 2 Proposed West Elevation. The conversion of the interior spaces to residential units will have no visual impact on the Sydenham or Princess Street facades.

1.1.1 Setbacks, Massing, and Relationship to Built Heritage Features:

The buildings at 239-241 Princess Street are not generally affected by the new addition, as they do not face Sydenham Street. The addition is on the Sydenham Street façade and falls between 179 and 181 Sydenham Street. The building at 179 Sydenham Street is currently included on the City’s heritage register as a non-designated property of cultural heritage value (listed) property. The existing addition at rear was not part of the original design and is not deemed to have heritage significance.

The building at the former “Simpkins Sewing Building” at 181 Sydenham Street was built in 1891 and is designated on the City’s register as a property of cultural heritage value under Part IV of the Ontario heritage Act. 181 Sydenham is located across the rear lane, facing the existing addition (not part of the original building) that is proposed to be removed.



Figure 1 - Existing West Elevation



Figure 2 - Proposed West Elevation

SECTION
BACKGROUND AND CONTENT

1

The proposed new addition on the rear of 179 Sydenham Street falls between these two properties and borders the lane between them. The building at 179 Sydenham Street is built with zero setbacks from the property line. Both the buildings at 181 and 179 Sydenham are two storey structures and appear to be similar in building height. The proposed addition to 179 Sydenham Street is also two storeys, but because the floor-to-floor heights in the existing buildings are higher than those of modern standards the second floor of the stair enclosure addition will not extend to the top cornice line of either building. This addition will be subordinate to the original structures.

because it is lower in height and there is a laneway between them. The new use of the second floor introduces a loft on the upper level, and this will have minimal effect on the façade because the loft floor levels will be set back from the windows. The proposed use change to eight residential suites on the upper levels will have no negative impact on the surrounding area. In fact, the introduction of new residential units in this location will contribute to the vibrancy of the downtown core. The current use is office space and no parking is available on the site. The proposal includes the provision of ten bicycle spaces in lieu of a reduction of parking spaces to zero.

1.1.2 Neighbourhood Character, Setting and Land Use:

The neighbourhood is generally made up of two-storey buildings that house commercial retail businesses on the ground floor and either office or residential spaces on the upper floor. The intervention of removing the small one-storey addition and constructing a two-storey stair enclosure will have little effect on the character of the neighbourhood, as it is lower than the two buildings that it is adjacent to. The proposed addition is narrow and will have minimal impact on the two adjacent structures and is subordinate in size and presence. The design is proposed as a contemporary glass façade on Sydenham Street, refer to Figure 2, and a metal panel enclosure along the laneway, refer to Figure 3. It will be legible as a modern addition and will be recognizable as of its time. The proposed addition will not obscure any of the views to 181 Sydenham

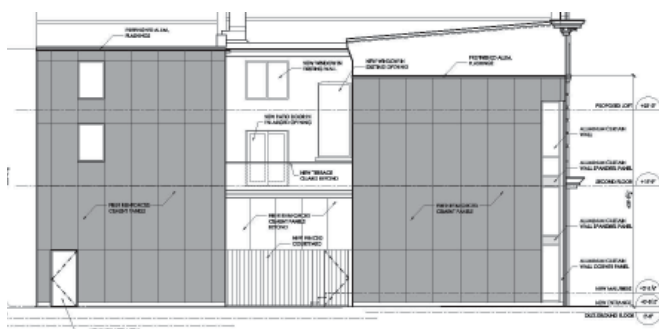


Figure 3 - Proposed North Elevation

2.1 Description of The Cultural Heritage Resource:

The following is an excerpt from The March 2015 heritage Report by Archaeological Research Associates Ltd. HR-065-2015

"7.0 STATEMENT OF SIGNIFICANCE"

Introduction and Description of Property

The Oddfellows Block is located at 239–241 Princess Street and 179 Sydenham Street in the City of Kingston. It is situated on the northeast corner of Sydenham and Princess Streets. The property consists of a two-storey red-brick commercial building constructed in 1891.

Statement of Cultural Heritage Value/Statement of Significance

Physical/Design Value

The Oddfellows Block is an excellent example of Italianate commercial building. Typical of this style are the arched windows on the second storey with brick hood moulds and rusticated keystones. These arched windows are found at the corners of the Sydenham and Princess Street elevations and add to the imposing nature of the building. All the windows on the second storey are recessed, have rusticated stone sills and are separated by brick pilasters. Above the second storey windows is a projecting cornice with dentils which is topped by three decorative insets featuring lion heads along the Princess Street elevation.

Historical/Associative Value

The Oddfellows Block is associated with the Oddfellows Relief Association. This group of men (the women's equivalent is called the Rebekahs) are a social group with Christian roots. The building was constructed in 1891 and served as home to the Oddfellows Relief Association until 1900 when they moved to King Street.

The Oddfellows Block was designed by architects Power & Son, a prominent Kingston architectural firm that designed many buildings in Kingston including: commercial, ecclesiastical, residential and institutional. Nearby works include: St. Andrew's Presbyterian Church (at Princess and Clergy Streets) built in 1888-89, new Sunday School and enlargement for the Sydenham Street Methodist Church in 1887. Notable works in the greater Kingston area include several Queen's University buildings and the new dome and cupola for the Kingston City Hall (1909). The use of arcading on the second level and the use of pillars to constrain these arches within a rectangular framework is typical of Power & Son architectural style.

The Oddfellows Block has been home to numerous educational and commercial enterprises. The second storey of the building has had various tenants throughout the years including: Kingston Business College beginning in 1894 and Kingston Domestic Science School in the early 20th century (1920). While the main floor served various commercial businesses including: the Rathburn Flour and Feed Company operated at 239 Princess Street, Vincent Ockley & Sons Grocers and J.Y. Parkhill's Wholesale Produce operation and in the 1960s it was home to the Imperial Commerce Bank. For a brief period of time this building also housed an undertaker. This corner of Princess and Sydenham Streets hosted three other undertakers at various points in history (who all operated cabinet making or furniture making business in tandem): James Reid was located directly across the street (254 Princess Street), an immediate neighbour was Henry Brame (249-253 Princess Street), and lastly, down the street was Frederick C. Marshall (255 Princess Street).

Contextual Value

The Oddfellows Block is a significant part of the commercial core of Kingston. It is located prominently at the corner of Sydenham and Princess Street, refer to Figure 4. The corner location and imposing architecture make it a visual anchor along both streets. Sydenham and Princess Streets host several other buildings of roughly the same age and style. The buildings on this section of Princess Street are located at the front of their lots which creates a streetwall, typical of commercial areas. The streets' historic buildings vary in height from one-and-a-half to three storeys and the construction materials include red-brick and limestone. This variety creates a visually appealing and diverse streetscape.



Figure 4

Cultural Heritage Attributes

- Two-storey red-brick construction with flat roof
- Second storey recessed windows, rusticated stone sills and brick pilasters
- Second storey large arched windows with rusticated stone keystones and hood moulds at the corners of the Sydenham and Princess Street elevations
- Other second storey windows are segmentally arched with brick keystones
- Arched openings feature six paned windows with a semi-circular pane in the arch and the other second storey windows are four-over-four, all appear to be steel
- Projecting cornice with dentils above the second storey windows
- Three decorative insets with lion heads located above the projecting cornice on the Princess Street elevation
- Location of the entablature between the first and second storey
- Cornerstone that reads "Oddfellow's Block Erected A.D. 1891" above which are three rings
- Situation of building close to the lot line that forms part of the streetwall along Princess Street
- Location on the northeast corner of Sydenham and Princess Streets"

SECTION
CONSERVATION STRATEGY

3

3.1 Conservation Measures to be implemented:

The exterior of the existing building is not impacted by any of the construction proposed on the interior of the building. The ground floor is to remain as commercial retail space, and the upper levels converted to residential lofts. The proposal is to preserve the facades of both Sydenham and Princess Streets, and to remove the later addition at the rear on the laneway.

Conservation measures on their facades will include repointing of the masonry as necessary, the repair and refinishing of the cornice, and replacement of any deteriorated bricks or stone. There is no conservation plan for adjacent sites as they are under different ownership.

3.1.1 Retained Heritage Features:

The only work that will be undertaken on the exterior will be restoring the cornice and the masonry. This may require scaffolding which may be fastened through the mortar joints, and is thus reversible. All other work will be undertaken on the interior, save for the rear addition to be removed, which is not significant, refer to Figure 5, as it went through several alterations over the years. The original windows were replaced within the last twenty years and are to remain, refer to figure 6.



Figure 5



Figure 6

3.1.2 Conservation Principles:

(Eight Guiding Principles in the Conservation of Heritage Properties)

1. Respect for Documentary Evidence:

The conservation work will consider the original design of the building based on the historical research in the study by ARA of March 2015. No alteration to the historic facades is proposed.

2. Respect for the Original Location:

The building remains in its original location.

3. Respect for Historic material:

The conservation plan will be restoring the façade where possible and minor masonry replacements or dutchmen may be required on a limited basis.

4. Respect for Original Fabric:

Any repairs will be undertaken with Like materials.

5. Respect for the Building's History:

The repairs will follow the original design of 1891.

6. Reversibility:

There are no interventions contemplated for, or affecting the existing façade or exterior elements of the heritage fabric that would compromise reversibility.

7. Legibility:

The addition will be constructed of metal and glass panels and will be clearly legible as a modern addition.

8. Maintenance:

The building has been owned by the Abramsky family since 1977, and they have continued to maintain it over the years, and will continue to do so.

3.2 Impact of Demolition of Built Heritage:

The existing rear addition is clearly a later intervention and does not contribute to the Cultural heritage value of the site and is not discussed in the ARA report of March 2015. The addition is a conglomeration of different heights and massing and because it is not generally visible from either Sydenham or Princess Streets, its removal will have little impact on the site or surrounding area, except to make way for the new structure.

3.3 How the Proposal Will Enhance the Cultural Heritage of the Area:

This proposal is to undertake an adaptive re-use of a second-floor office space and to introduce new loft style residences to target the graduate student population of Kingston. By introducing eight new households, the project will encourage revitalization of the downtown core. These households will require goods and services in the area which will help support downtown retail on this traditionally commercial street. Occupants of urban residential developments not only frequent businesses in the daytime but also support evening activity such as restaurants, bars and entertainment venues in the area. This not only provides economic benefit, but also social benefit by keeping an active community and “eyes on the street” in off hours.

The trend facing Ontario’s main streets since the second world war of relocating residential developments to the suburbs, and thus the commercial developments that follow them has caused the decline of Ontario’s traditional downtown cores. Princess Street has historically been the main commercial street in Kingston, and this adaptive re-use will contribute to its continued vibrancy.

SECTION
CONCLUSION AND RECOMMENDATIONS

4

4.1 Summary of the development Impact on Heritage Resources:

The adaptive re-use of the upper level floor will have a positive economic and social impact on the neighbourhood by placing more residential units downtown. This design necessitates the removal of the addition at the rear of the property, and the new glass enclosed addition at the rear will enhance the streetscape by showcasing this redevelopment. Of a heritage building. The new addition will be both subordinate to the original, and legible as “of its time”. The proposal is recommended as apposite impact on the property and neighbourhood.

4.2 Conservation Measures:

The proposal will repair, restore, and preserve the existing facades in like materials, and the conservation will have minimal impact on the heritage façade.

4.3 Additional Studies required:

No other studies are required. The building currently occupies the entire site so no archaeological study will be required.

ARCHITECTURAL DRAWINGS - PLANS SECTIONS AND ELEVATIONS SECTION **A**

RESIDENTIAL DEVELOPMENT - 179 SYDENHAM STREET



DRAWING LIST:
ARCHITECTURAL

A0.1	COVER PAGE, DRAWING LIST, CONTACTS
A2.1	EXISTING GROUND FLOOR PLAN
A2.2	EXISTING SECOND FLOOR PLAN
A2.3	EXISTING ROOF PLAN
A2.4	PROPOSED GROUND FLOOR PLAN
A2.5	PROPOSED SECOND FLOOR PLAN
A2.6	PROPOSED LOFT LEVEL FLOOR PLAN
A2.7	PROPOSED ROOF PLAN
A3.1	EXISTING WEST ELEVATION
A3.2	EXISTING SOUTH & NORTH ELEVATIONS
A3.3	PROPOSED WEST & NORTH ELEVATIONS

01
A0.1 DRAWING LIST

STATISTICS:

EXISTING:		
GROUND FLOOR G.F.A.	6,580.3 s.f. /	612.1 s.m.
SECOND FLOOR G.F.A.	5,121.2 s.f. /	476.4 s.m.
TOTAL EXISTING G.F.A.	11,701.5 s.f. /	1,088.5 s.m.
PROPOSED:		
GROUND FLOOR G.F.A.	6,292.0 s.f. /	585.3 s.m.
SECOND FLOOR G.F.A.	6,000.6 s.f. /	558.2 s.m.
NEW LOFT G.F.A.	4,505.2 s.f. /	419.1 s.m.
TOTAL PROPOSED G.F.A.	16,797.8 s.f. /	1,562.6 s.m.
PROPOSED COMMERCIAL G.F.A.	6,675.2 s.f. /	620.9 s.m.
PROPOSED RESIDENTIAL G.F.A.	10,122.6 s.f. /	941.7 s.m.

02
A0.1 DRAWING LIST

RESIDENTIAL DEVELOPMENT

179 SYDENHAM STREET
KINGSTON, ON
K7K 3M1
22001

PROJECT NAME:
PROJECT LOCATION:
PROJECT No.:

CLIENT:
KEYSTONE PROPERTY
MANAGEMENT INC.

ORIGINAL PAGE SIZE ARCH D - 24" x 36"

+VG ARCHITECTS
THE VENTIN GROUP LTD
TORONTO
BRANTFORD
OTTAWA

AFFILIATED OFFICES:

2020.05.15

ISSUED FOR:
COA

All dimensions and measurements must be checked and verified by the General Contractor. Reproduction of drawings and related documents in whole or in part is forbidden without written permission of The Ventin Group.

CLIENT:
KEYSTONE PROPERTY MANAGEMENT INC.
179 Sydenham Street
Kingston, Ontario
K7K 3M1
T: 613 - 546 - 5555

CONTACT:

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+VG ARCHITECTS
72 STAFFORD STREET,
TORONTO, ONTARIO, CANADA
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pfrenguelli@plusvg.com

SECTION
STATEMENT OF SIGNIFICANCE REPORT

A

1.0 PROPERTY INFORMATION

Civic Address: 239–241 Princess Street and 179 Sydenham Street
Common Name: Oddfellows Block

2.0 PHOTOGRAPHS



Image 1: Sydenham and Princess Street Elevations of 239–241 Princess Street and 179 Sydenham Street
(Photo taken on January 20, 2015; Facing Northeast)



Image 2: Oddfellows Cornerstone on the Sydenham Street Elevation
(Photo taken on January 20, 2015; Facing East)



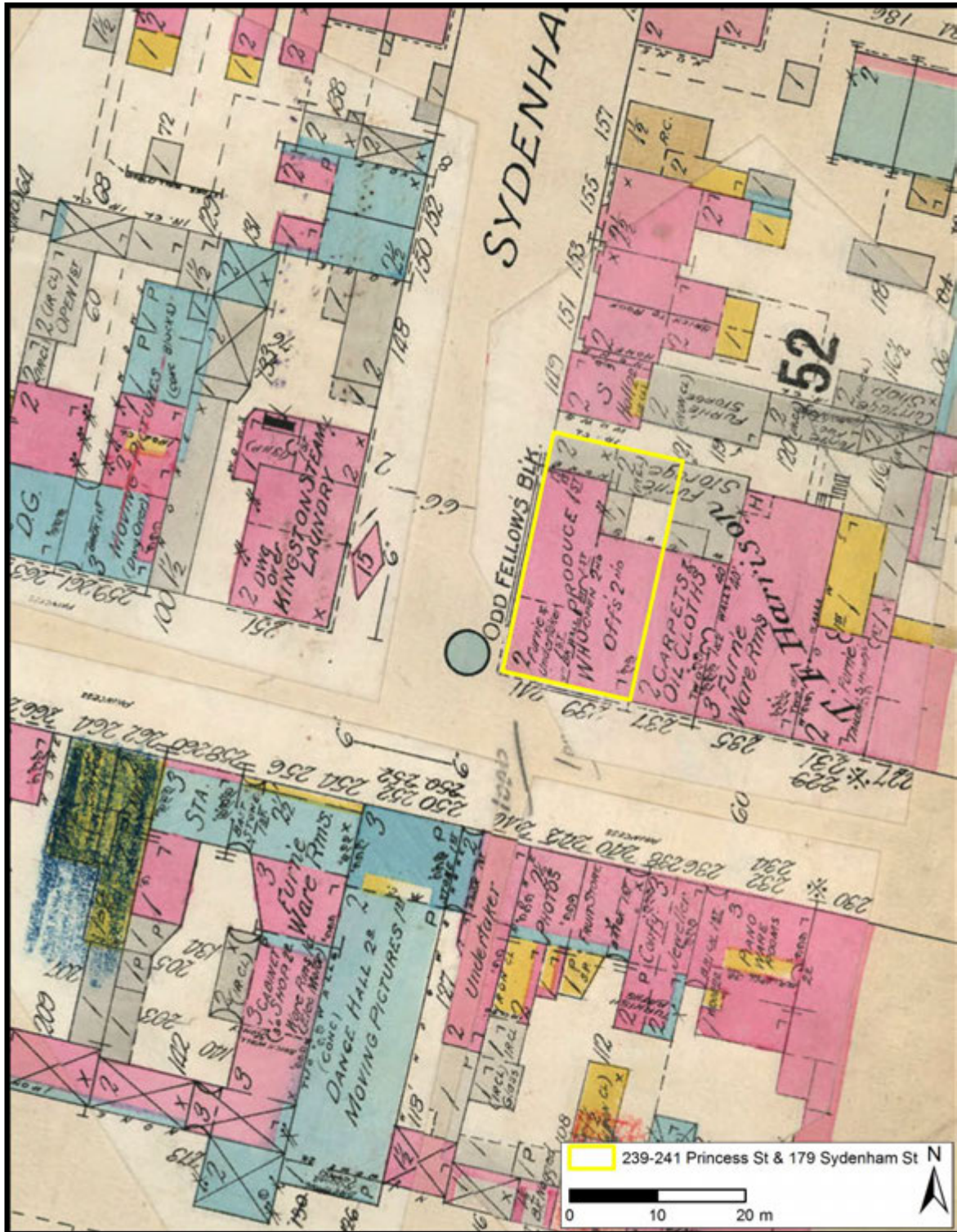
Image 3: Detailed View of Second Storey Windows
(Photo taken on January 20, 2015; Facing North)



Image 4: Detailed View of Lion Head Inset along Roofline on Princess Street Elevation
(Photo taken on January 20, 2015; Facing North)

3.0 MAPS





Map 2: 239–241 Princess Street and 179 Sydenham Street on the 1908 Fire Insurance Plan (Goad 1908)

4.0 BACKGROUND INFORMATION

4.1 Architecture or Design

- Observed progression of architectural changes exhibited on historic maps is as follows:
 - Not present on the 1865 Innes or 1875 Bird's-Eye View Maps
 - 1892 (Revised to 1904) Fire Insurance Plan shows two-storey brick building with two-storey wood northern additions – labelled the Oddfellows' Block A section is noted as being the Y.W.C.A
 - 1908 Fire Insurance Plan shows two-storey brick building with two-storey wood northern additions – noted as housing an undertaker in the southwest corner, produce shop and offices
 - 1924 (Revised to 1929) Fire Insurance Plan shows a two-storey brick building with the wood addition either being incorporated or replaced to create a solid two storey rectangular building – noted as housing a grocers, offices and a section labelled "Auto"
 - 1947 Fire Insurance Plan shows the same materials and configuration as the 1924 Plan – 2nd floor is marked as offices
 - 1963 Fire Insurance Plan shows the same materials and configuration as the 1924 Plan – a section is labelled as being used by the Imperial Bank of Commerce with offices on the 2nd floor
- Excellent example of an Italianate commercial building
- Modern one-storey rear addition can be accessed from Sydenham Street
- Two-storey red-brick construction
- Flat roof with two chimneys
- Second storey features large two arched windows with rusticated stone keystones and hood moulds at the corner of the Sydenham and Princess Street elevations
- Large arched windows with the same decoration are also found at the end of the Sydenham and Princess Street Elevations
- The arched openings feature six paned windows with a semi-circular pane in the arch
- Other second storey windows are segmentally arched with brick keystones and voussoirs, the windows in these openings are four-over-four and appear to be steel
- All the windows on the second storey are recessed, have rusticated stone stills and are separated by brick pilasters
- Above the second storey windows is a projecting cornice with dentils
- Above the projecting cornice on the Princess Street elevation are three decorative insets with lion heads
- Location of the entablature between the first and second storey is original, but the entablature itself is likely a replacement
- Configuration of the first storey shop entrances and windows is not original (see Image 7)

- A cornerstone – located at the northwest corner of the building, on the Sydenham Street Elevation – states “Oddfellow’s Block Erected A.D. 1891” above which are three rings representing the Triple Links logo of the Three Link Fraternity of the Oddfellows
 - Missing from within the links are the letters “F” “L” and “T” which represent Friendship, Love and Truth
- Sydenham Street elevation features a recessed door that is highlighted by stepped layers of brick

4.2 History

- Constructed in 1891 as the Oddfellows Block
 - Home to the Oddfellows Relief Association until 1900 (moved to King Street)
 - Interestingly, James Reid, who owned an undertaking and cabinet making business directly across the street (254 Princess Street) was a “popular business man and is a prominent member of the Order of Oddfellows and Masons” (Historical Publishing Company 1886:73)
- Designed by Kingston architects Power & Son (AIC 2015)
 - John Power (1816-82) and son Joseph (1848-1925) formed a prominent Kingston architectural firm, responsible for designing many buildings in Kingston including: commercial, ecclesiastical, institutional and residential
 - Nearby works include: St. Andrew’s Presbyterian Church (at Princess and Clergy Streets) built in 1888-89; new Sunday School and enlargement for the Sydenham Street Methodist Church in 1887
 - Notable works throughout the greater Kingston area include several Queen’s University Buildings: Medical Building (1907), Observatory (1909), Gordon Hall (1909-1910), Nicol Hall (1911)
 - In 1909, the firm worked on Kingston City Hall for the new dome and cupola
 - Other commercial works include 165 Wellington Street
 - The use of arcading on the second level and the use of pillars to constrain these arches within a rectangular framework is typical of the Power style (McKendry 1995)
- Second storey was former home to the Kingston Business College in the late 19th century beginning 1894
- Second storey was formerly housed the Kingston Domestic Science School in the early 20th century (1920)
- The Rathburn Flour and Feed Company operated at 239 Princess Street toward the end of the 19th century
- Following Rathburn's operation, the property became Vincent Ockley & Sons Grocers
- For a brief period it also housed an undertaker
 - Interestingly, circa 1892, the other main undertakers in Kingston – who all operated cabinet making or furniture making businesses in tandem – were located directly across the street (James Reid, 254 Princess Street),

- directly beside this building (Henry Brame, 249-253 Princess Street) and down the street (Frederick C. Marshall, 255 Princess Street)
 - By 1908 (as seen in the Fire Insurance Plan) only this building and James Reid's across the street remain as an undertakers
- In the early 20th century the property became the location of J.Y. Parkhill's Wholesale Produce operation
 - Parkhill's was established in 1869
 - They sold whole-sale groceries, eggs and "fancy creamery butter" (Curtis 2011)
- Came under the ownership of Mort Enterprises, 1977
 - Morton Abramsky, son of Joseph and a part of the Abramsky's chain of department stores, expanded the family business beyond retail sales in 1977 to include property management

4.3 Context

- Imposing building at the corner of Sydenham and Princess Streets
- Architecture makes it a landmark along Sydenham and Princess Streets
- Part of the historic streetscape of both Sydenham and Princess Streets
- Located on Princess Street, the main commercial street in Kingston

5.0 EVALUATION OF SIGNIFICANCE

**Table 1: Evaluation of the Cultural Heritage Value or Interest of the Property
According to Ontario Regulation 9/06**

EVALUATION OF PROPERTY		
Criteria	Description	✓
Design or Physical Value	Is a rare, unique, representative or early example of a style, type, expression, material or construction method	✓
	Displays a high degree of craftsmanship or artistic value	
	Displays a high degree of technical or scientific achievement	
Historical or Associative Value	Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	✓
	Yields or has the potential to yield information that contributes to the understanding of a community or culture	
	Demonstrates or reflects the work or ideas of an architect, builder, artist, designer or theorist who is significant to a community	✓
Contextual Value	Is important in defining, maintaining or supporting the character of an area	✓
	Is physically, functionally, visually or historically	

EVALUATION OF PROPERTY		
Criteria	Description	✓
	linked to its surroundings	
	Is a landmark	✓

6.0 RECOMMENDATION

RECOMMENDATION FOR PROPERTY	
Recommendation	✓
The property has no cultural heritage value or interest, therefore it requires no further work.	
The property should be considered for addition to the Municipal Heritage Register.	
The property should be considered for designation under Part IV of the <i>Ontario Heritage Act</i> .	✓

7.0 STATEMENT OF SIGNIFICANCE

Introduction and Description of Property

The Oddfellows Block is located at 239–241 Princess Street and 179 Sydenham Street in the City of Kingston. It is situated on the northeast corner of Sydenham and Princess Streets. The property consists of a two-storey red-brick commercial building constructed in 1891.

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- Two-storey red-brick construction with flat roof
- Second storey recessed windows, rusticated stone stills and brick pilasters
- Second storey large arched windows with rusticated stone keystones and hood moulds at the corners of the Sydenham and Princess Street elevations
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- Three decorative insets with lion heads located above the projecting cornice on the Princess Street elevation

- Location of the entablature between the first and second storey
- Cornerstone that reads “Oddfellow’s Block Erected A.D. 1891” above which are three rings
- Situation of building close to the lot line that forms part of the streetwall along Princess Street
- Location on the northeast corner of Sydenham and Princess Streets

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Queens University Archives
n.d. **Photos by Street.**
Underwriters' Survey Bureau Ltd.
1963 **Insurance Plan of the City of Kingston.**
1947 **Insurance Plan of the City of Kingston.**
1924 **Insurance Plan of the City of Kingston.**

Appendix A: Background Material

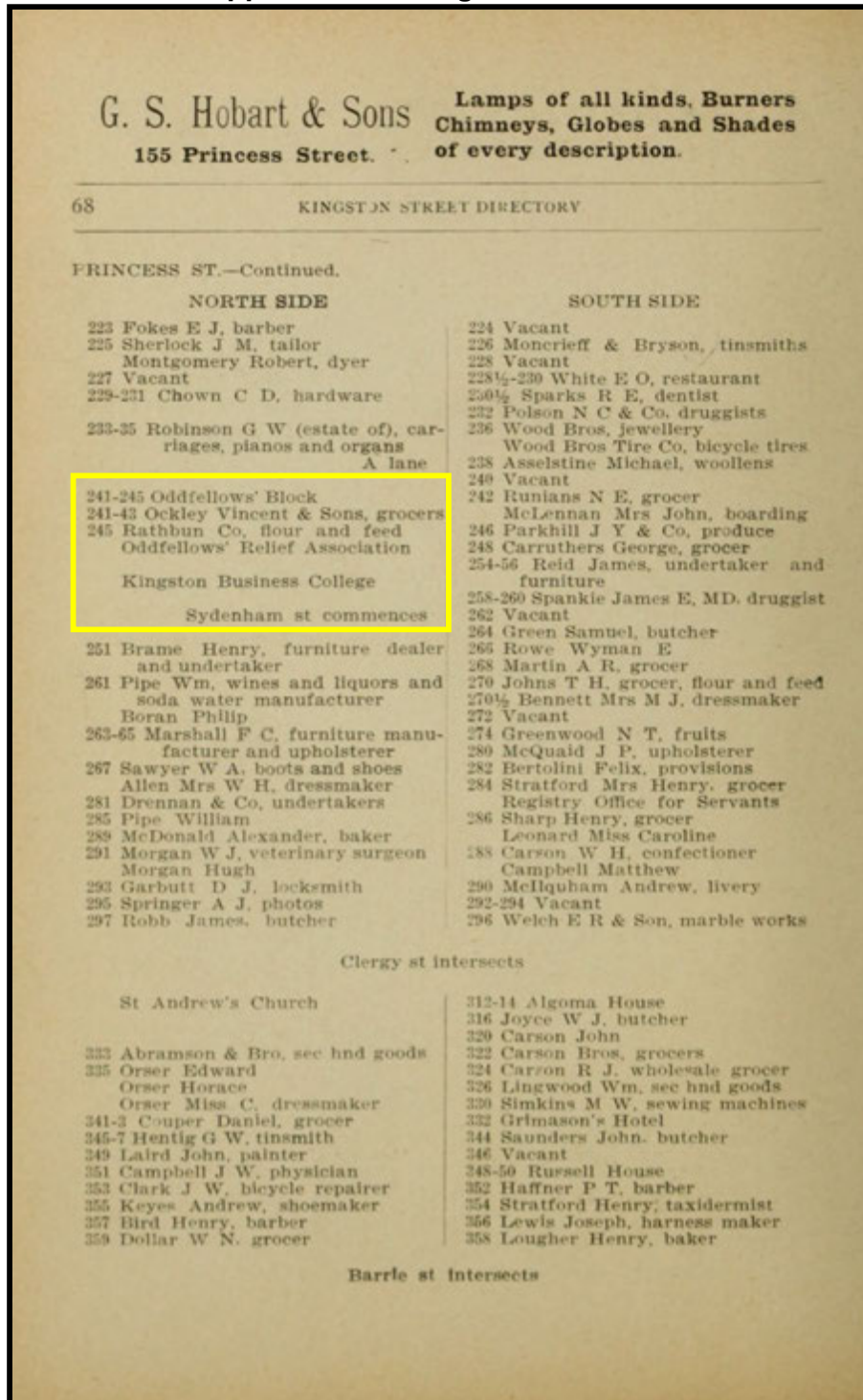


Image 5: Property Listing in Foster's Kingston Directory from July 1895 to July 1896
(Foster 1896)



Image 6: Oddfellows Block (at left), ca. 1906
(Queen University Archives; General Views of Kington)



Image 7: Oddfellows Block (at left), ca. 1910
(Ontario Jewish Archives)

Parking Review

179 Sydenham Street, Kingston, ON



Prepared for Mont Investments Limited
by IBI Group

May 2020

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	Parking Exemption By-law No. 88-270	3
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	<i>73 Brock Street (0 spaces per unit)</i>	4
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IBI GROUP

Parking Review – May 25, 2020

1 Introduction

IBI Group was retained to review the parking requirement with respect to the proposed upper floor residential conversion at 179 Sydenham Street (City of Kingston Pre-Application File No. D00-050-2020). The proposed development includes the conversion of existing upper floor commercial space to eight (8) residential units. The scope of this Review includes a description of the site location and context, a desktop review of comparable developments, and an analysis of applicable policy and comparative requirements.

The review includes the following materials:

- 179 Sydenham Street proposed site plan, floor plans and elevations;
- Downtown and Harbour Zoning By-law No. 96-259;
- Parking Exemption By-law No. 88-270;
- City of Kingston Official Plan;
- Sustainable Kingston Plan;
- Comparable Developments in Kingston; and
- Comparable Municipal Parking Requirements

Note that this Review does not include a parking demand survey of comparable sites/developments as it is understood that only a scoped parking study was required and that such a survey is not required.

2 Site Description & Surrounding Uses

The subject property is located in the Central Business District (CBD) of the City of Kingston on the east side of Sydenham Street and north side of Princess Street. The lands are addressed as 239-231 Princess Street and 179 Sydenham Street, herein after referred to as 179 Sydenham or “the subject property”. The subject property is currently developed with a two (2) storey commercial building containing eight commercial units, five on the ground floor and three on the second floor.

179 Sydenham is listed on the City’s Heritage Register. It is not currently designated under Part IV of the Ontario Heritage Act, but we understand that the City intends to so designate the property in the near future.

As the existing building occupies nearly all of the subject property, parking cannot be accommodated on site. It is understood that historic and current parking demand is accommodated by on-street parking and municipal and private parking lots within the downtown. The streets adjacent to the site provide on-street parking subject to a two-hour maximum “pay and display” system. The site is located within walking distance (600 metres) of eight municipal parking lots (Appendix A). The subject property is well serviced by Kingston Transit, being approximately 300 metres from the Kingston Transit Downtown Transfer Point on Bagot Street, which provides bus access to all areas of the City. The site is located in an area conducive to active transportation. Cycling infrastructure is provided throughout Downtown Kingston with bike lanes extending to other areas of the City, and there is an extensive sidewalk network in the Downtown for pedestrians. The site is well-situated in the heart of Downtown Kingston and is located within walking distance (600 metres) of a range of commercial, employment, recreational, open space, and institutional uses which further supports the use of active transportation and public transit modes of travel.

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3 Development Proposal

The existing two-storey commercial building is proposed to be redeveloped by converting the second storey to accommodate eight (8) residential units with lofts. The ground floor would maintain three of the existing commercial units. Two new stair additions are proposed on the north side of the building to provide access to the upper floor residential units. These additions would replace the existing 1-storey addition on the north side of the building. As indicated in the Pre-Application Report (April 17, 2020), it is understood that the addition of access stairs is not considered to be an enlargement or expansion of the building for residential dwellings.

Due to the nearly-100% lot coverage of the site, there is no space for parking available on the subject property. As such, the applicant is requesting permission for a variance to the required parking of 8 spaces for the residential units down to 0 spaces.

Table 1: Development Parameters (Existing / Proposed)

SITE STATISTICS	EXISTING	PROPOSED
Residential Units	0	8
Residential GFA (approx.) (sq.ft.)	0	Ground: 0 (not including service/common) Second: 6,300 Loft: 6,000 TOTAL: 12,300
Commercial Units	8	3
Commercial GFA (approx.) (sq.ft.)	Ground: 6,600 Second: 5,160 TOTAL: 11,760	Ground: 5,500 + 1,000 of service/common Second: 0 TOTAL: 5,500
Bedrooms	0	12
Parking Spaces	0	0
Lot Coverage	+/- 95%	+/- 95%

4 Parking Assessment

Zoning By-law No. 96-259

The subject property is within a special exception Heritage Commercial 'C1-3' Zone in the Downtown and Harbour Zoning By-law No. 96-259. The 'C1-3' Zone permits Mixed Commercial/Residential Development. Section 5.22.5.6 of the Zoning By-law outlines the parking requirements for the subject property. Table 1 summarizes the parking requirement for the proposed development, being one space per unit for a total of eight (8) spaces, per Section 5.22.5.6. There is no parking requirement for commercial uses in the C1 zone, per 5.22.5.5.

Of note, the Zoning By-law identifies exemptions from certain by-law provisions where existing commercial space is converted to upper floor residential (Section 7.2.4). These exemptions include not having to provide amenity space, and non-application of minimum yards and lot coverage. There is no automatic exemption from the parking requirements of the Zoning By-law, but this will be discussed further below.

Table 2 Parking Requirement Zoning By-law No. 96-259

PROVISION	SECTION	REQUIRED	PROPOSED	RELIEF
Parking Requirement (Commercial Uses)	5.22.5.5	0 Spaces Notwithstanding the foregoing, there shall be no parking requirements for and Education Centre of Facility or for commercial uses permitted in the “Central Business System” (C1) Zone or in the “Market Square Commercial” (CMS) Zone.	0 Spaces	None
Parking Requirement (Residential Uses)	5.22.5.6	8 Spaces Notwithstanding the foregoing, the minimum parking space requirements for residential units located on the same lot in the “Central Business System” (C1) Zone or the “Market Square Commercial” (CMS) Zone shall be one parking space per residential unit.	0 Spaces	- 8 spaces

Parking Exemption By-law No. 88-270

Although the Zoning By-law does not grant as-of-right exemptions from the parking requirements for upper floor residential conversions in the downtown, City of Kingston By-law No. 88-270 does provide such an opportunity through the payment in-lieu of providing parking spaces. By-law 88-270 establishes criteria for developments seeking an exemption from parking requirements through the payment of cash-in-lieu. An application for a parking exemption may be submitted provided that the following requirements are met:

- 1) *The requirement for parking spaces shall be the result of a proposal to convert or renovate an existing structure for use as a residential dwelling with Zone C1 Central Business System Commercial of By-Law No. 96-259.*
- 2) *The location and size of the existing structure is such that it would not be possible to meet the requirements for parking spaces which are set out under the Downtown and Harbour Zoning By-Law No. 96-259.*
- 3) *The structure is located in the C1 Central Business System Commercial Zone of By-Law No. 96-259 East of Division Street and the ‘CMS’ Market Square Commercial Zone of By-law No. 96-259.*

As per this by-law, the City of Kingston contemplates the provision of no on-site parking on sites in the C1 Central Business System Commercial Zone for conversions of existing upper floor space to residential, and assumes that parking for these developments can be accommodated elsewhere.

At this time, the owner is not proposing to apply for cash-in-lieu of parking as they are confident that they can accommodate any future tenant demands for parking in their privately-owned parking lots. It is understood that the owner has parking spaces available for lease on a case-by-case basis in proximity to the proposed development that could accommodate parking for future tenants of this site. Although the owner is not proposing to apply for cash-in-lieu of parking, the principle of the by-law applies as it supports zero parking in the Downtown as long as parking can be provided elsewhere (i.e. through a parking lot off-site). In this case, the owner is not providing the

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funds to the City as they have property elsewhere where they can provide a parking space for future tenants on an as needed basis.

Typically, such off-site parking arrangements would be secured through reciprocal agreements between the property accommodating new residential units and the property accommodating parking. However, the owner's preference is not to encumber any one particular property through such an agreement, and would prefer to have the flexibility to lease spaces on various properties depending on the demand at the time of leasing the residential unit. For example, rather than committing to make 4, 6 or 8 spaces available in various locations downtown and then perhaps only needing 2 of them (leaving the other committed spaces vacant), the owner's proposal would allow the supply to fluctuate with demand and make more efficient use of the available parking in the area.

Comparable Developments in Kingston

The City of Kingston is generally supportive of parking reductions in the Downtown. This is evident through several comparable development proposals. The following examples demonstrate that comparable parking reductions have been permitted in the Central Business District and surrounding area.

174 Princess Street (0 spaces per unit)

174 Princess Street was approved for two variances to reduce the number of required parking spaces from 4 to 0 (File Nos. D13-005-2016 & D13-032-2019). The development included a two-storey addition to an existing building to accommodate four new residential units. The Cash-in-Lieu of Parking By-law could not be applied as the upper floor development was new construction and not a conversion of an existing building. It was determined that the parking reduction was consistent with the general intent and purpose of the Official Plan and Zoning By-Law No. 96-259.

73 Brock Street (0 spaces per unit)

73 Brock Street is subject to a site plan control application to convert the two upper stories at 73-79 Brock Street into five residential dwelling units (File No. D11-378-2012). The proposal did not include any parking spaces as the applicant was not able to provide on-site parking for the proposed development. It is understood that the applicant entered into a cash-in-lieu of parking agreement for the proposed parking reduction. The site is zoned 'C1-3' Heritage Commercial Zone and the proposed mixed commercial/residential development use complies with the 'C1-3' Zone for Zoning By-Law No. 96-259.

122 Wellington Street (0 spaces per unit)

122 Wellington Street was approved for a variance to reduce the number of required parking spaces from 3 to 0 (File No. D13-017-2018). The proposal included the conversion of an existing ground floor commercial unit and second-floor residential unit to a total of three units. It was determined that the parking reduction was consistent with the general intent and purpose of the Official Plan and Zoning By-Law No. 8499.

Various Properties (reductions from 1 space per unit to 0.5 spaces or less)

449 Princess Street was approved for a variance to reduce the number of required parking spaces from 1 parking space per dwelling unit to 0.5 spaces per dwelling unit. The development included a conversion of the existing six-storey commercial office building to a mixed-use commercial and residential building. The development maintained the existing ground floor commercial use and converted the upper five storeys to a residential use. It was

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determined that the parking reduction was consistent with the general intent and purpose of the Official Plan and Zoning By-Law No. 8499.

168 Division Street was approved to have a parking ratio of 0.42 spaces for 35 upper floor residential units. As part of the approval, 5 of the required 18 spaces are provided off-site at 227 Brock Street. This was a new development and subject to a zoning by-law amendment addressing a number of provisions. It was determined that the parking reduction conformed to the policies of the Official Plan.

227 Brock Street was approved to have a parking ratio of 0.5 spaces for the 10 upper floor residential units. This reduction allowed 5 of the 10 existing parking spaces to be used by another development off-site at 168 Division Street. This reduction was approved as part of the rezoning of two properties, and it was determined that the parking reduction conformed to the policies of the Official Plan.

Based on the above examples, there are a number of instances where reduced parking ratios have been supported from 0.5 spaces down to 0 spaces per unit. It is notable that the examples of 0 spaces per unit have been for properties located on or very close to Princess Street within the CBD and constituting upper floor conversions or additions to existing commercial. The theme expressed throughout the rationalization of these reductions has been that it is appropriate given the desire for upper floor residential in the core, the availability of off-site parking if it is needed, the walkability of the location within the CBD, availability of public transit, and anticipated low demand for car ownership amongst the typical demographic of downtown residential tenants. These rationalizations apply to the proposed development without exception.

City of Kingston Official Plan

The subject property is designated 'Central Business District' in the City of Kingston Official Plan, which is a multi-faceted centre of the City. The Official Plan includes policies that encourage a balance between providing sufficient parking, and not oversupplying parking:

Section 4.6.47 It is the intention of this Plan to encourage a balance between providing sufficient parking to address existing or future requirements, and not oversupplying parking to the detriment of public transit usage or active transportation.

The subject property is in the CBD of the City, which supports walkability and is well-served by public transit and active transportation facilities.

Policies 4.6.52(c) and (d) also support reductions in the required parking based on "land use characteristics and user requirements" and/or where additional secured bicycle parking is provided. The site's location within the CBD and the owner's own experience with tenant demands for parking indicate that a reduced parking supply can be supported. The proposal also includes the provision of nine secure bicycle storage spaces for the residential units' exclusive use. We note that there are also three dedicated bike parking racks immediately in front of the building within the public boulevard that could be used by visitors.

The Official Plan also includes policies related to sustainable development that support the development of residential densities that reduce dependency on the automobile by promoting active transportation and public transit, thereby reducing greenhouse gas emissions. The proposed parking reduction supports these objectives and supports the intent of Section 4.6.47 as the site is ideally located to support public transit usage and active transportation. The subject property is located in the Central Business District and is in walking distance (600 metres) to a range of commercial, employment, recreational, open space and institutional uses in the Downtown, as well as the Kingston Transit Downtown Transfer Point. Residential units within an existing commercial building in the CBD is the type of new residential that is arguably the least

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likely to create a parking demand as it is highly walkable, and is well-supported by public transit and active transportation by future tenants.

Sustainable Kingston

It is a goal of the Sustainable Kingston Plan for “residential development to encourage walking, cycling and public transit and connectivity” (pg. 34). The proposed development supports this goal by creating dwelling units that encourage people to choose active transportation or public transit over car ownership. These modes of transportation are encouraged as there is no on-site parking available for the proposed units, which can incentivize the use of alternative forms of transportation for tenants. The proposed development is ideally situated to support this goal as it is located in the Central Business District and is within walking distance (600 metres) of a range of commercial, employment, recreation, open space and institutional uses as well as Kingston Transit stops including the Downtown Transfer Point. There is also an extensive sidewalk network and bicycle lane network in the Downtown to support active transportation modes.

5 Discussion

The site’s location in the Downtown makes the development attractive to tenants who prefer an urban lifestyle and who are not reliant on automobiles as their primary mode of transportation. Prospective tenants would be aware that there is no parking automatically available on the site, and would be responsible for providing their own parking arrangements. Should prospective tenants wish to have vehicle parking, there are opportunities for them to lease parking spaces Downtown. It is understood that the owner has parking spaces available for lease on a case-by-case basis in proximity to the proposed development that could accommodate parking for future tenants of this site, if desired. There are also other private and municipal parking lots located in the Downtown that could accommodate the tenants’ parking requirements. However, it is anticipated that these units would be most attractive to tenants who do not rely on an automobile as their primary mode of transportation and, as such, tenant parking demands are anticipated to be low. It is anticipated that visitors to the proposed development would primarily utilize public transit and/or active transportation to access the site. However, visitor parking can be accommodated by existing on-street parking and in municipal or private parking lots in the Downtown.

It is not anticipated that the proposed parking reduction will negatively impact the functionality of the site. The site is in the most walkable area of the Downtown and has a Walk Score of 99. Daily errands do not require a car and there are many public transportation options. As stated previously, the site is located within walking distance (600 metres) of a range of commercial, employment, recreation, open space and institutional uses in the Downtown, as well as Kingston Transit stops, including the Downtown Transfer Point.

There are also opportunities for car share available in the Downtown. Through the car sharing company Communauto, there are three car share spaces within the downtown that would be within walking distance to the site, and another four spaces within one kilometre (<https://ontario.communauto.com/how-it-works/#Find-a-car>). Prospective tenants could rely on car share to fill any needs that can not be accommodated using public transit or active transportation. This provides flexibility for prospective tenants and further supports the appropriateness of the requested parking reduction.

Reduced parking ratios in a downtown context are widely accepted and implemented across comparable municipalities in Ontario. For example, in the City of London zero parking is required for all existing and new residential development in the Downtown Area (Section 4.19(10)(f) Zoning By-law No. Z.-1). In the City of Kitchener, zero parking is required for new multiple residential buildings in the Urban Growth Centre Zones (Table 5-3 By-Law No. 2019-051). In the City of

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Hamilton, zero parking is required for multiple dwellings with 0-12 units in all Downtown Zones (Section 5.6(a) Zoning By-law). These reduced parking ratio policies are all predicated on locations that are highly walkable, transit-oriented, and bicycle friendly. In addition, in modern planning policy, reduced parking ratios are rationalized to reduce reliance on automobiles, and to support municipal efforts related to climate change mitigation and the development of complete communities.

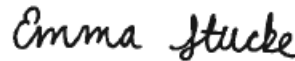
6 Conclusion

Based on our review of the subject proposal, its context, applicable policy and regulatory framework, and comparable developments, we are of the opinion that the proposed parking reduction for 179 Sydenham Street is appropriate.

Sincerely,
IBI Group

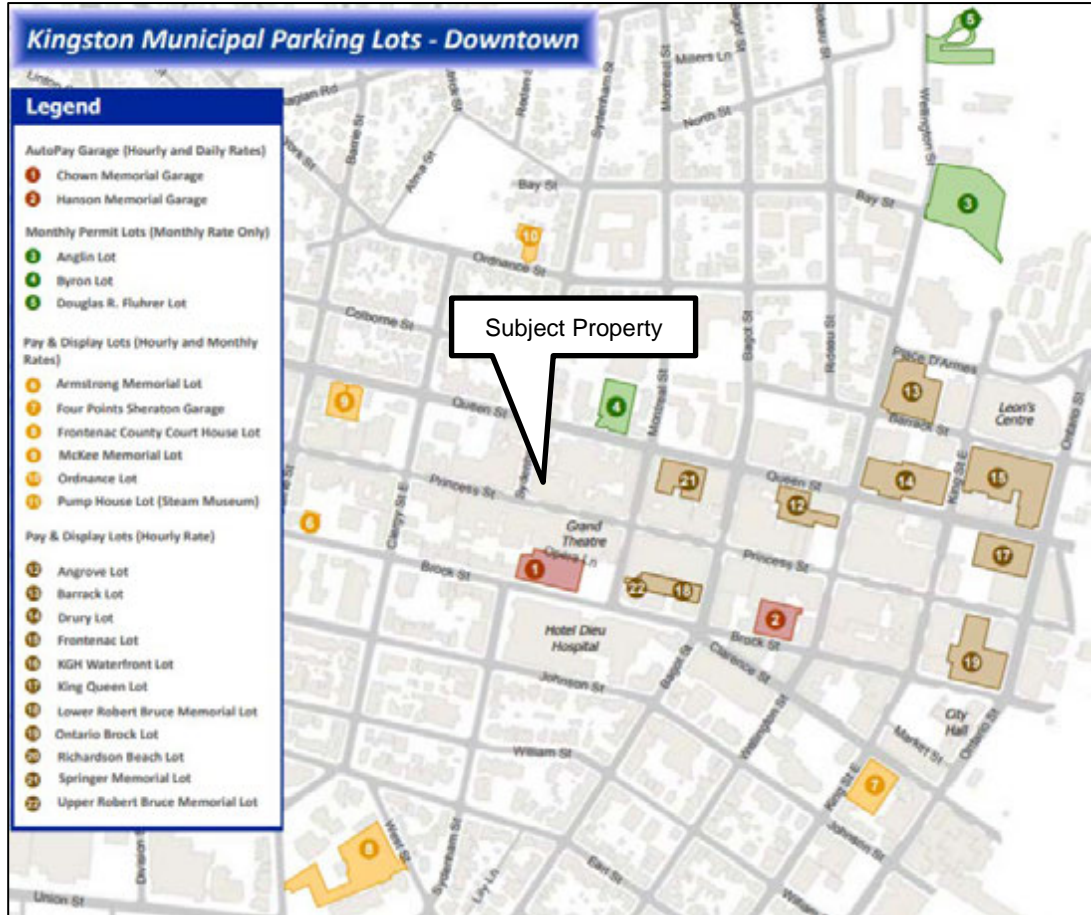


Mark Touw, MCIP RPP
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Appendix A – Municipal Parking Lots





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July 3, 2020

Ms. Genise Grant
Planner
City of Kingston
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Kingston, Ontario K7L 2Z3

Dear Ms. Grant:

PLANNING JUSTIFICATION - APPLICATION FOR MINOR VARIANCE
179 SYDENHAM STREET
IBI FILE NO. 125746

1.0 Introduction

On behalf of Keystone Property Management Inc. (the “owner”), we are pleased to submit this Planning Justification in support of an Application for Minor Variance for the lands located at 179 Sydenham Street in the City of Kingston (the “subject lands”). The subject lands are approximately 623 square metres and have approximately 30 metres of frontage on Sydenham Street and 20 metres of frontage on Princess Street. The subject lands are currently developed with an existing two-storey building which is identified as a Listed Property of Cultural Heritage Value on the City of Kingston Heritage Register.

The proposed development includes the conversion of the second storey of the existing building to accommodate nine (9) residential units with lofts. The ground floor would be maintained with the existing three (3) retail units. Two new stair additions are proposed at the rear of the building to provide required egress for users. No space for parking is available on the site. As advised by the City, nine (9) secure indoor bicycle parking spaces are provided in the building.

The subject lands are part of the City’s Central Business District Land Use Designation as shown on Schedule 2-A of the Official Plan. The subject lands are in the ‘C1-3’ Zone. Based on our review of the applicable zoning provisions and Pre-Application consultations with City Staff, we understand that three variances from the Downtown and Harbour Zoning By-law No. 96-259 are required, including amenity area, density, and parking requirement. The requested variances to permit the above development are outlined in **Table 1** below.

Table 1: Requested Variances

	SECTION	REQUIRED	PROPOSED	VARIANCE
1)	7.2 Maximum Density	123 units per net hectare	144 units per net hectare Lot Area: 623.35 sq. m	+ 21

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2)	5.5.1 Amenity Area	90 sq. m (10 square metres per unit)	Terrace: 26.5 sq. m Loft 7 terrace: 10.5 sq. m Loft 8 terrace: 16.0 sq. m	- 63.5
3)	5.22.5.2 Off-Street Parking Residential Parking Ratio	9 Parking Spaces (1 per unit)	0	- 9

2.0 Planning Act, R.S.O. 1990, c.P.13

In support of this application, the following section outlines how the proposed variances satisfy the four (4) tests prescribed by Section 45(1) of the Planning Act. These four tests are as follows:

1. Is the variance minor in nature?
2. Is the variance desirable and appropriate?
3. Does the variance maintain the general intent and purpose of the Official Plan?
4. Does the variance maintain the general intent and purpose of the Zoning By-law?

3.0 Justification

Variance 1: Maximum Density

Section 7.2 of the Zoning By-law allows a maximum density of 123 units per net hectare whereas a maximum density of approximately 144 units per net hectare is proposed. The proposal seeks to convert the second storey of the existing commercial building to accommodate nine (9) residential units. The existing building envelope is not proposed to be modified except for two new stairwell additions at the rear of the building to provide required egress to the proposed units. The proposed increase in density is consistent with that anticipated in the downtown (CBD), particularly within existing buildings, and does not represent an over development of the site.

1. Is the variance minor in nature?

The determination of whether an application is minor is not based on the degree of the variance requested, but rather on whether the impact of granting the request(s) is minor. This includes how the variance could impact the existing or planned functionality of the subject lands and/or the surrounding lands. The proposed increase in density will allow the upper storey of the existing building to be developed with nine residential units. The proposed increase in density represents a minor change to the maximum density permitted and is not anticipated to have an adverse impact on the streetscape or the functionality of the subject lands. There is adequate space to accommodate nine residential units in the upper storey of the existing building while providing for the functional needs of site users consistent with expectations and standards in the Downtown context. The proposed increase in is appropriate for the site as it is primarily contained within the existing building envelope and there are no exterior alterations proposed to the existing building except for the additional of two stairwells at the rear of the building to provide egress for users. It is noted that the density proposed

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through this application is consistent with the range of densities found in the CBD and with what is intended through the City's Official Plan.

2. Is the variance desirable and appropriate?

The proposed variance is desirable and appropriate as it will facilitate the appropriate re-development of an existing designated heritage property and supports residential intensification in the Central Business District. The proposed development will also contribute to providing a range and mix of housing options in the Central Business District. The proposed development consists of one-bedroom and two-bedroom units. A total of 15 bedrooms are proposed. It is noted that it would be possible to meet the density requirement of 123 units per net hectare while proposing the same number of bedrooms if there were fewer, but larger unit sizes (i.e. 3-bedroom or 4-bedroom units). However, it is understood that one-bedroom and two-bedroom units appeal to a wider rental market. As such, the development of nine (9) residential units and increase in the maximum density permitted is desirable and appropriate.

3. Does the variance maintain the general intent and purpose of the Official Plan?

The proposed variance meets the intent of the Official Plan to promote residential intensification and to provide a range and mix of housing types within the Urban Boundary and in Centres and Corridors. The subject lands are located in the "primary centre", being the Central Business District. The proposed development will add a total of nine (9) residential units in an area intended for residential intensification. The proposed density of 144 units per hectare is consistent with the definition for high density residential uses in the Official Plan, which identifies that high density is anything 75 dwelling units per net hectare or greater. The proposed increase in density to 144 units per net hectare is appropriate for the site as it is primarily contained within the existing building envelope and there are no exterior alterations proposed to the existing building except for the addition of two stairwells at the rear of the building to provide egress for the units.

In addition, the proposed development meets the intent of the OP to provide for the functional needs of site users and is not anticipated to have any negative impacts on abutting properties. The proposal satisfies the relevant Compatibility policies of Section 2.7 of the OP as it will not result in negative impacts on adjacent properties or the streetscape, and has a massing and architectural character that is compatible with existing development. We note that the alterations to the building envelope will be subject to review and approvals through a separate Heritage Act process, which will ensure that any changes maintain the heritage value of the property. We also note that, in general, reinvestment in a designated heritage property often allows the owner to better maintain or improve the condition of such properties, which is also a goal of the Official Plan and the Provincial Policy Statement. As such, it is our opinion that the proposed variance maintains the general intent and purpose of the Official Plan.

4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The proposed variance meets the intent of Zoning By-law to ensure that appropriate densities and scale of development are provided in the Downtown and Harbour area. The existing zoning by-law contemplates high density residential uses on the site, allowing up to 123 units per net hectare as-of-right. The proposed density of approximately 144 units per net hectare is consistent with the density anticipated through the zoning, particularly given that the units are contained within an existing building. The increase in density also allows for the provision

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of smaller units, specifically one-bedroom and two-bedroom units. As noted, the proposed increase in density is accommodated primarily within the existing building envelope except for two stairwell additions proposed at the rear of the building to provide egress. The proposed density is consistent with densities of other mixed use residential/commercial developments in the Central Business District and does not represent an overdevelopment of the site. The variance is requested in order to facilitate the development of a permitted use in the C1 Zone and is, in our opinion, consistent with the intent of the Zoning By-law.

Variance 2: Amenity Area

Section 5.5.1 of the by-law requires 90 square metres of amenity area (10 square metres per unit) whereas a total of 26.5 square metres is proposed. Through the Amenity Area Review Study (2015) it was indicated by City staff that “there may still be infrequent site-specific proposals such as the bachelor and one-bedroom situations that may warrant variation of the new standards” (PC-15-027 pg. 5). Due to the near 100% lot coverage of the site and the heritage status of the building, it is difficult to provide the 90 sq. m of required amenity area. It is noted that the provision of rooftop amenity is not a feasible as the high roof areas are not accessible or suitable. 26.5 square metres of amenity space is provided on a terrace at the rear of the building which accommodates private amenity space for two of the proposed units (Loft 7 and Loft 8).

Although public open space cannot replace amenity area, it is noted the building is directly adjacent to the Sydenham Street pop-up park and that the owner of the building paid additional sums to the City during the Downtown revitalization to ensure that the space beside the building on the Sydenham Street elevation was provided with a full decorative paver treatment to enhance the public realm. It is also noted that there may be opportunities to further enhance the streetscape along Sydenham Street by providing street furniture (bench, etc.) along the side of the building on Sydenham Street for the benefit of future residents and the public.

1. Is the variance minor in nature?

The determination of whether or not an application is minor is not based on the degree of the variance requested, but rather on whether the impact of granting the request(s) is minor. This includes how the variance could impact the existing or planned functionality of the subject lands and/or the surrounding lands. The proposed reduction to the amenity space requirement will facilitate the conversion of disused upper storey commercial space in a designated heritage property and is not anticipated to have any adverse effects on functionality or safety for site users. The Zoning By-law includes an exemption for the amenity area requirement where the conversion of upper floor commercial space takes place within an existing building envelope. Given that the existing building envelope is not proposed to change except for the addition of two rear stairwells to provide improved access to the proposed units, the variance is minor in nature in that the end result is consistent with what is anticipated for conversions of existing upper floor commercial space, and so the expectation for amenity area in this context is low. It is noted that private amenity space has been provided where feasible and that two units are proposed to have outdoor terraces which will function as a high-quality amenity area for the residents of those units.

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2. Is the variance desirable and appropriate?

The proposed variance is desirable and appropriate as it facilitates residential intensification and contributes to the provision of a range and mix of housing types in the Central Business District/Downtown. The proposed development proposes to convert disused commercial space in the upper storey and will improve the existing heritage listed property. No adverse impacts related to privacy, safety or functionality are expected as a result of the reduced amenity area. There is adequate space within all of the proposed units to accommodate the functional needs of users, including generous private indoor amenity spaces in the form of private living and dining rooms.

3. Does the variance maintain the general intent and purpose of the Official Plan?

The proposed variance meets the intent of the Official Plan to promote residential intensification and to provide a range and mix of housing types within the Urban Boundary and in Centres and Corridors. The proposed variance meets the intent of the Official Plan to provide the functional needs for the residential use in that it complies with the compatibility policies outlined in Section 2.7 of the OP as no adverse affects due to shadowing, privacy, or compatibility are anticipated as a result of the proposed development. We note that the Functional Needs policies of 2.7.6 identify that functional needs will be met by providing amenity space, these policies clearly apply to new or substantial redevelopments, and it is not clear that they are intended to apply to conversions of existing buildings. The Zoning By-law is the tool used to implement the policies of the Official Plan, and the Zoning does allow for a waiving of amenity area requirements where new residential is created within existing buildings (upper floors). We also note that 10A.2.15 of the Official Plan, which speaks specifically to residential development of upper floors in the CBD, does not explicitly require the provision of amenity space (contrasted with the language of 2.7.6), only that the matter be “satisfactorily addressed.” Therefore, given that there is a contemplation through the implementing zoning that it is appropriate to provide no amenity space for residential units under certain circumstances, and that the proposal cannot take advantage of this exemption only because the building envelope is being expanded for the purpose of providing access to the units, we are of the opinion that the intent of the City’s planning documents, including its Official Plan, are maintained.

4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The subject lands are subject to the zoning provisions of the Downtown and Harbour Zoning By-law 96-259. The by-law contemplates upper floor conversions to residential and provides an exemption in these scenarios that exempts developments from the amenity area requirement. The proposed development is not exempt under Section 8.2.4 as the proposal includes two stairwell additions at the rear of the building to provide ingress/egress for the residential units. However, the residential units are located within the existing building envelope. As such, the proposed development is comparable to an upper storey conversion and other proposals that are exempt from the amenity space requirement of Section 8.2.4. Due to the near 100% lot coverage of the site and the heritage status of the property, it is difficult to provide the 90 sq. m of required amenity area. The current concept plan contemplates a terrace at the rear of the building which accommodates private amenity space for two units (Unit 7 and 8) but the remaining units (facing south and east towards the street and out over the protected front façade and on the west side of building which is directly

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adjacent to an existing building) do not have any proposed amenity area. The provision of rooftop amenity is not a feasible as the high roof areas are not accessible or suitable. Given the intent of Section 8.2.4 to allow conversion of disused upper floor commercial to residential, we are of the opinion that the proposal meets in the intent of the zoning by-law.

Variance 3: Off-Street Parking

The Zoning By-law requires one (1) parking space per residential unit, whereas zero spaces are proposed. IBI Group prepared a scoped parking review in support of the proposed development dated, May 2020 and included as Appendix A to this report. The review indicates that the site's location in the Central Business District makes the development attractive to tenants who prefer an urban lifestyle and who are not reliant on automobiles as their primary mode of transportation. Prospective tenants would be aware that there is no parking guaranteed to be available on the site and would be responsible for making their own parking arrangements. Should prospective tenants wish to have vehicle parking, there are a number of opportunities for them to lease parking spaces within walking distance (as defined by the Official Plan). It is understood that the owner has parking spaces available for lease on a case-by-case basis in the area. There are also car share options available in the downtown. It is not anticipated that the proposed parking reduction will negatively impact the functionality of the site. The site is in the most walkable area of the City and is located within walking distance (600 metres) of a range of commercial, employment, recreation, open space and institutional uses. Public and active transportation options are also abundant in this location. The site's location within the Central Business District and the owner's experience with tenant demands for parking indicated that a reduced parking supply can be supported. We note that the proposal does include the provision of nine (9) secure bicycle storage spaces for the residential unit's exclusive use.

1. Is the variance minor in nature?

The determination of whether or not an application is minor is not based on the degree of the variance requested, but rather on whether the impact of granting the request(s) is minor. This includes how the variance could impact the existing or planned functionality of the subject lands and/or the surrounding lands. The proposed parking reduction to zero parking spaces is not anticipated to adversely affect the planned functionality of the site. A scoped Parking Review was submitted in support of the proposed parking reduction. The Review concluded that the proposed parking reduction is appropriate. This conclusion was based on comparable developments, discussion on the Official Plan and Zoning By-law intent, as well as site specific characteristics of the subject lands. As such, it is our opinion that the proposed variance is minor in nature as no negative impacts are anticipated and the functionality of the proposed residential use will be supported.

2. Is the variance desirable and appropriate?

The proposed reduction in off-street parking is desirable and appropriate as it will facilitate the conversion of the upper storey of an existing heritage building to residential uses and will support residential intensification in the Central Business District. Due to the nearly one hundred percent lot coverage and the heritage designation of the property, it is not feasible to provide parking on the site. However, the site is in the most walkable area of the City and is located within walking distance (600 metres) of a range of commercial, employment,

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recreation, open space and institutional uses. Public and active transportation options are also abundant in this location. As such, it is our opinion that the proposed variance is desirable and appropriate as the proposed development facilitates the conversion of disused upper storey commercial space to residential uses and will preserve and enhance the existing heritage listed building. In addition, the proposed development supports goals related to reducing reliance on the automobile and promoting active transportation and public transit modes of travel.

3. Does the variance maintain the general intent and purpose of the Official Plan?

The proposed development meets in the intent and purpose of the Official Plan. The subject lands are located in the Central Business District which supports walkability and is well-served by public transit and active transportation facilities. Section 4.6.47 encourages a balance between providing sufficient parking, and not oversupplying parking in the Central Business District. The site's location within the Central Business District and the owner's experience with tenant demands for parking indicated that a reduced parking supply can be supported. The Official Plan also includes policies related to sustainable development that support the development of residential densities that reduce dependency on the automobile by promoting active transportation and public transit, thereby reducing greenhouse gas emissions. The proposed parking reduction supports these objectives and supports the intent of Section 4.6.47 as the site is ideally located to be supported by public transit and active transportation. As such, it is our opinion that the proposed variance maintains the general intent and purpose of the Official Plan.

4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The subject lands are subject to the zoning provisions of the Downtown and Harbour Zoning By-law 96-259. The by-law requires one space per unit for residential uses and is intended to provide appropriate parking to meet the needs of site users. Due to the subject land's location in the Central Business District and nearly one hundred percent lot coverage, a reduce parking ratio is appropriate. There are a number of instances where reduced parking ratios have been supported from 0.5 spaces down to 0 spaces per unit. These examples are discussed in detail in the accompanying parking review. It is notable that the examples of 0 spaces per units have been for properties located on or very close to Princess Street within the Central Business District and constituting upper floor conversions or additions to existing commercial. The theme expressed through the rationalization of these reductions is that there is a demand for dwelling units on upper floor units, even if little or no dedicated parking is available, and that this is supported by the availability of off-site parking (if needed), the walkability of the location within the Central Business District, availability of public transit, options to use car sharing services, and general anticipated low demand for car ownership. The subject lands are ideally located to support the reduced parking ratio and the requested variance is in keeping with the intent of the zoning by-law to provide appropriate parking for site users.

4.0 Closing

It is our professional opinion that the requested variances satisfy the four test under Section 45 of the *Planning Act*, constitutes good land use planning, and should be approved.

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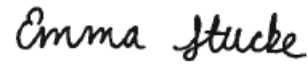
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Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Sincerely,
IBI Group



Mark Touw | MCIP, RPP
Associate Director



Emma Stucke | BCD
Planner

Appendix A – Parking Review

Parking Review

179 Sydenham Street, Kingston, ON



Prepared for Mont Investments Limited
by IBI Group

May 2020

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Parking Review – May 25, 2020

1 Introduction

IBI Group was retained to review the parking requirement with respect to the proposed upper floor residential conversion at 179 Sydenham Street (City of Kingston Pre-Application File No. D00-050-2020). The proposed development includes the conversion of existing upper floor commercial space to eight (8) residential units. The scope of this Review includes a description of the site location and context, a desktop review of comparable developments, and an analysis of applicable policy and comparative requirements.

The review includes the following materials:

- 179 Sydenham Street proposed site plan, floor plans and elevations;
- Downtown and Harbour Zoning By-law No. 96-259;
- Parking Exemption By-law No. 88-270;
- City of Kingston Official Plan;
- Sustainable Kingston Plan;
- Comparable Developments in Kingston; and
- Comparable Municipal Parking Requirements

Note that this Review does not include a parking demand survey of comparable sites/developments as it is understood that only a scoped parking study was required and that such a survey is not required.

2 Site Description & Surrounding Uses

The subject property is located in the Central Business District (CBD) of the City of Kingston on the east side of Sydenham Street and north side of Princess Street. The lands are addressed as 239-231 Princess Street and 179 Sydenham Street, herein after referred to as 179 Sydenham or “the subject property”. The subject property is currently developed with a two (2) storey commercial building containing eight commercial units, five on the ground floor and three on the second floor.

179 Sydenham is listed on the City’s Heritage Register. It is not currently designated under Part IV of the Ontario Heritage Act, but we understand that the City intends to so designate the property in the near future.

As the existing building occupies nearly all of the subject property, parking cannot be accommodated on site. It is understood that historic and current parking demand is accommodated by on-street parking and municipal and private parking lots within the downtown. The streets adjacent to the site provide on-street parking subject to a two-hour maximum “pay and display” system. The site is located within walking distance (600 metres) of eight municipal parking lots (Appendix A). The subject property is well serviced by Kingston Transit, being approximately 300 metres from the Kingston Transit Downtown Transfer Point on Bagot Street, which provides bus access to all areas of the City. The site is located in an area conducive to active transportation. Cycling infrastructure is provided throughout Downtown Kingston with bike lanes extending to other areas of the City, and there is an extensive sidewalk network in the Downtown for pedestrians. The site is well-situated in the heart of Downtown Kingston and is located within walking distance (600 metres) of a range of commercial, employment, recreational, open space, and institutional uses which further supports the use of active transportation and public transit modes of travel.

3 Development Proposal

The existing two-storey commercial building is proposed to be redeveloped by converting the second storey to accommodate eight (8) residential units with lofts. The ground floor would maintain three of the existing commercial units. Two new stair additions are proposed on the north side of the building to provide access to the upper floor residential units. These additions would replace the existing 1-storey addition on the north side of the building. As indicated in the Pre-Application Report (April 17, 2020), it is understood that the addition of access stairs is not considered to be an enlargement or expansion of the building for residential dwellings.

Due to the nearly-100% lot coverage of the site, there is no space for parking available on the subject property. As such, the applicant is requesting permission for a variance to the required parking of 8 spaces for the residential units down to 0 spaces.

Table 1: Development Parameters (Existing / Proposed)

SITE STATISTICS	EXISTING	PROPOSED
Residential Units	0	8
Residential GFA (approx.) (sq.ft.)	0	Ground: 0 (not including service/common) Second: 6,300 Loft: 6,000 TOTAL: 12,300
Commercial Units	8	3
Commercial GFA (approx.) (sq.ft.)	Ground: 6,600 Second: 5,160 TOTAL: 11,760	Ground: 5,500 + 1,000 of service/common Second: 0 TOTAL: 5,500
Bedrooms	0	12
Parking Spaces	0	0
Lot Coverage	+/- 95%	+/- 95%

4 Parking Assessment

Zoning By-law No. 96-259

The subject property is within a special exception Heritage Commercial ‘C1-3’ Zone in the Downtown and Harbour Zoning By-law No. 96-259. The ‘C1-3’ Zone permits Mixed Commercial/Residential Development. Section 5.22.5.6 of the Zoning By-law outlines the parking requirements for the subject property. Table 1 summarizes the parking requirement for the proposed development, being one space per unit for a total of eight (8) spaces, per Section 5.22.5.6. There is no parking requirement for commercial uses in the C1 zone, per 5.22.5.5.

Of note, the Zoning By-law identifies exemptions from certain by-law provisions where existing commercial space is converted to upper floor residential (Section 7.2.4). These exemptions include not having to provide amenity space, and non-application of minimum yards and lot coverage. There is no automatic exemption from the parking requirements of the Zoning By-law, but this will be discussed further below.

Table 2 Parking Requirement Zoning By-law No. 96-259

PROVISION	SECTION	REQUIRED	PROPOSED	RELIEF
Parking Requirement (Commercial Uses)	5.22.5.5	0 Spaces Notwithstanding the foregoing, there shall be no parking requirements for and Education Centre of Facility or for commercial uses permitted in the “Central Business System” (C1) Zone or in the “Market Square Commercial” (CMS) Zone.	0 Spaces	None
Parking Requirement (Residential Uses)	5.22.5.6	8 Spaces Notwithstanding the foregoing, the minimum parking space requirements for residential units located on the same lot in the “Central Business System” (C1) Zone or the “Market Square Commercial” (CMS) Zone shall be one parking space per residential unit.	0 Spaces	- 8 spaces

Parking Exemption By-law No. 88-270

Although the Zoning By-law does not grant as-of-right exemptions from the parking requirements for upper floor residential conversions in the downtown, City of Kingston By-law No. 88-270 does provide such an opportunity through the payment in-lieu of providing parking spaces. By-law 88-270 establishes criteria for developments seeking an exemption from parking requirements through the payment of cash-in-lieu. An application for a parking exemption may be submitted provided that the following requirements are met:

- 1) *The requirement for parking spaces shall be the result of a proposal to convert or renovate an existing structure for use as a residential dwelling with Zone C1 Central Business System Commercial of By-Law No. 96-259.*
- 2) *The location and size of the existing structure is such that it would not be possible to meet the requirements for parking spaces which are set out under the Downtown and Harbour Zoning By-Law No. 96-259.*
- 3) *The structure is located in the C1 Central Business System Commercial Zone of By-Law No. 96-259 East of Division Street and the ‘CMS’ Market Square Commercial Zone of By-law No. 96-259.*

As per this by-law, the City of Kingston contemplates the provision of no on-site parking on sites in the C1 Central Business System Commercial Zone for conversions of existing upper floor space to residential, and assumes that parking for these developments can be accommodated elsewhere.

At this time, the owner is not proposing to apply for cash-in-lieu of parking as they are confident that they can accommodate any future tenant demands for parking in their privately-owned parking lots. It is understood that the owner has parking spaces available for lease on a case-by-case basis in proximity to the proposed development that could accommodate parking for future tenants of this site. Although the owner is not proposing to apply for cash-in-lieu of parking, the principle of the by-law applies as it supports zero parking in the Downtown as long as parking can be provided elsewhere (i.e. through a parking lot off-site). In this case, the owner is not providing the

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funds to the City as they have property elsewhere where they can provide a parking space for future tenants on an as needed basis.

Typically, such off-site parking arrangements would be secured through reciprocal agreements between the property accommodating new residential units and the property accommodating parking. However, the owner's preference is not to encumber any one particular property through such an agreement, and would prefer to have the flexibility to lease spaces on various properties depending on the demand at the time of leasing the residential unit. For example, rather than committing to make 4, 6 or 8 spaces available in various locations downtown and then perhaps only needing 2 of them (leaving the other committed spaces vacant), the owner's proposal would allow the supply to fluctuate with demand and make more efficient use of the available parking in the area.

Comparable Developments in Kingston

The City of Kingston is generally supportive of parking reductions in the Downtown. This is evident through several comparable development proposals. The following examples demonstrate that comparable parking reductions have been permitted in the Central Business District and surrounding area.

174 Princess Street (0 spaces per unit)

174 Princess Street was approved for two variances to reduce the number of required parking spaces from 4 to 0 (File Nos. D13-005-2016 & D13-032-2019). The development included a two-storey addition to an existing building to accommodate four new residential units. The Cash-in-Lieu of Parking By-law could not be applied as the upper floor development was new construction and not a conversion of an existing building. It was determined that the parking reduction was consistent with the general intent and purpose of the Official Plan and Zoning By-Law No. 96-259.

73 Brock Street (0 spaces per unit)

73 Brock Street is subject to a site plan control application to convert the two upper stories at 73-79 Brock Street into five residential dwelling units (File No. D11-378-2012). The proposal did not include any parking spaces as the applicant was not able to provide on-site parking for the proposed development. It is understood that the applicant entered into a cash-in-lieu of parking agreement for the proposed parking reduction. The site is zoned 'C1-3' Heritage Commercial Zone and the proposed mixed commercial/residential development use complies with the 'C1-3' Zone for Zoning By-Law No. 96-259.

122 Wellington Street (0 spaces per unit)

122 Wellington Street was approved for a variance to reduce the number of required parking spaces from 3 to 0 (File No. D13-017-2018). The proposal included the conversion of an existing ground floor commercial unit and second-floor residential unit to a total of three units. It was determined that the parking reduction was consistent with the general intent and purpose of the Official Plan and Zoning By-Law No. 8499.

Various Properties (reductions from 1 space per unit to 0.5 spaces or less)

449 Princess Street was approved for a variance to reduce the number of required parking spaces from 1 parking space per dwelling unit to 0.5 spaces per dwelling unit. The development included a conversion of the existing six-storey commercial office building to a mixed-use commercial and residential building. The development maintained the existing ground floor commercial use and converted the upper five storeys to a residential use. It was

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determined that the parking reduction was consistent with the general intent and purpose of the Official Plan and Zoning By-Law No. 8499.

168 Division Street was approved to have a parking ratio of 0.42 spaces for 35 upper floor residential units. As part of the approval, 5 of the required 18 spaces are provided off-site at 227 Brock Street. This was a new development and subject to a zoning by-law amendment addressing a number of provisions. It was determined that the parking reduction conformed to the policies of the Official Plan.

227 Brock Street was approved to have a parking ratio of 0.5 spaces for the 10 upper floor residential units. This reduction allowed 5 of the 10 existing parking spaces to be used by another development off-site at 168 Division Street. This reduction was approved as part of the rezoning of two properties, and it was determined that the parking reduction conformed to the policies of the Official Plan.

Based on the above examples, there are a number of instances where reduced parking ratios have been supported from 0.5 spaces down to 0 spaces per unit. It is notable that the examples of 0 spaces per unit have been for properties located on or very close to Princess Street within the CBD and constituting upper floor conversions or additions to existing commercial. The theme expressed throughout the rationalization of these reductions has been that it is appropriate given the desire for upper floor residential in the core, the availability of off-site parking if it is needed, the walkability of the location within the CBD, availability of public transit, and anticipated low demand for car ownership amongst the typical demographic of downtown residential tenants. These rationalizations apply to the proposed development without exception.

City of Kingston Official Plan

The subject property is designated 'Central Business District' in the City of Kingston Official Plan, which is a multi-faceted centre of the City. The Official Plan includes policies that encourage a balance between providing sufficient parking, and not oversupplying parking:

Section 4.6.47 It is the intention of this Plan to encourage a balance between providing sufficient parking to address existing or future requirements, and not oversupplying parking to the detriment of public transit usage or active transportation.

The subject property is in the CBD of the City, which supports walkability and is well-served by public transit and active transportation facilities.

Policies 4.6.52(c) and (d) also support reductions in the required parking based on "land use characteristics and user requirements" and/or where additional secured bicycle parking is provided. The site's location within the CBD and the owner's own experience with tenant demands for parking indicate that a reduced parking supply can be supported. The proposal also includes the provision of nine secure bicycle storage spaces for the residential units' exclusive use. We note that there are also three dedicated bike parking racks immediately in front of the building within the public boulevard that could be used by visitors.

The Official Plan also includes policies related to sustainable development that support the development of residential densities that reduce dependency on the automobile by promoting active transportation and public transit, thereby reducing greenhouse gas emissions. The proposed parking reduction supports these objectives and supports the intent of Section 4.6.47 as the site is ideally located to support public transit usage and active transportation. The subject property is located in the Central Business District and is in walking distance (600 metres) to a range of commercial, employment, recreational, open space and institutional uses in the Downtown, as well as the Kingston Transit Downtown Transfer Point. Residential units within an existing commercial building in the CBD is the type of new residential that is arguably the least

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likely to create a parking demand as it is highly walkable, and is well-supported by public transit and active transportation by future tenants.

Sustainable Kingston

It is a goal of the Sustainable Kingston Plan for “residential development to encourage walking, cycling and public transit and connectivity” (pg. 34). The proposed development supports this goal by creating dwelling units that encourage people to choose active transportation or public transit over car ownership. These modes of transportation are encouraged as there is no on-site parking available for the proposed units, which can incentivize the use of alternative forms of transportation for tenants. The proposed development is ideally situated to support this goal as it is located in the Central Business District and is within walking distance (600 metres) of a range of commercial, employment, recreation, open space and institutional uses as well as Kingston Transit stops including the Downtown Transfer Point. There is also an extensive sidewalk network and bicycle lane network in the Downtown to support active transportation modes.

5 Discussion

The site’s location in the Downtown makes the development attractive to tenants who prefer an urban lifestyle and who are not reliant on automobiles as their primary mode of transportation. Prospective tenants would be aware that there is no parking automatically available on the site, and would be responsible for providing their own parking arrangements. Should prospective tenants wish to have vehicle parking, there are opportunities for them to lease parking spaces Downtown. It is understood that the owner has parking spaces available for lease on a case-by-case basis in proximity to the proposed development that could accommodate parking for future tenants of this site, if desired. There are also other private and municipal parking lots located in the Downtown that could accommodate the tenants’ parking requirements. However, it is anticipated that these units would be most attractive to tenants who do not rely on an automobile as their primary mode of transportation and, as such, tenant parking demands are anticipated to be low. It is anticipated that visitors to the proposed development would primarily utilize public transit and/or active transportation to access the site. However, visitor parking can be accommodated by existing on-street parking and in municipal or private parking lots in the Downtown.

It is not anticipated that the proposed parking reduction will negatively impact the functionality of the site. The site is in the most walkable area of the Downtown and has a Walk Score of 99. Daily errands do not require a car and there are many public transportation options. As stated previously, the site is located within walking distance (600 metres) of a range of commercial, employment, recreation, open space and institutional uses in the Downtown, as well as Kingston Transit stops, including the Downtown Transfer Point.

There are also opportunities for car share available in the Downtown. Through the car sharing company Communauto, there are three car share spaces within the downtown that would be within walking distance to the site, and another four spaces within one kilometre (<https://ontario.communauto.com/how-it-works/#Find-a-car>). Prospective tenants could rely on car share to fill any needs that can not be accommodated using public transit or active transportation. This provides flexibility for prospective tenants and further supports the appropriateness of the requested parking reduction.

Reduced parking ratios in a downtown context are widely accepted and implemented across comparable municipalities in Ontario. For example, in the City of London zero parking is required for all existing and new residential development in the Downtown Area (Section 4.19(10)(f) Zoning By-law No. Z.-1). In the City of Kitchener, zero parking is required for new multiple residential buildings in the Urban Growth Centre Zones (Table 5-3 By-Law No. 2019-051). In the City of

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Hamilton, zero parking is required for multiple dwellings with 0-12 units in all Downtown Zones (Section 5.6(a) Zoning By-law). These reduced parking ratio policies are all predicated on locations that are highly walkable, transit-oriented, and bicycle friendly. In addition, in modern planning policy, reduced parking ratios are rationalized to reduce reliance on automobiles, and to support municipal efforts related to climate change mitigation and the development of complete communities.

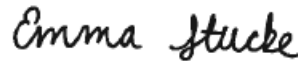
6 Conclusion

Based on our review of the subject proposal, its context, applicable policy and regulatory framework, and comparable developments, we are of the opinion that the proposed parking reduction for 179 Sydenham Street is appropriate.

Sincerely,
IBI Group



Mark Touw, MCIP RPP
Associate Director



Emma Stucke, BCD
Planner

Appendix A – Municipal Parking Lots

