



**City of Kingston  
Committee of Adjustment  
Meeting Number 01-2021  
Monday, December 14, 2020 at 5:30 p.m.**

**Business**

- a) Application for: Minor Variance  
File Number: D13-039-2020  
Address: 230 Frontenac Street  
Owner: Henglee Kingston Inc.  
Applicant: The Boulevard Group Inc.**

The Report of the Commissioner of Community Services (COA-21-005) is attached.

The consent of the Committee of Adjustment is requested to substitute pages 33 – 45 of Report Number COA-21-005 with Schedule Pages 1 – 13.

**Correspondence**

- a)** Correspondence received from Amber Simpson, dated December 7, 2020 regarding 101 College Street.  
Schedule Page 14
- b)** Correspondence received from Andrew Daugulis, dated December 8, 2020 regarding 101 College Street.  
Schedule Page 15
- c)** Correspondence received from John Telgmann, dated December 9, 2020 regarding 101 College Street.  
Schedule Pages 16 – 17
- d)** Correspondence received from The Boulevard Group Inc., dated December 11, 2020 regarding 230 Frontenac Street.  
Schedule Pages 18 – 41
- e)** Correspondence received from Brennan Cruse and Mikayla Erdelsky, dated December 10, 2020 regarding 98 Clergy Street East.  
Schedule Page 42
- f)** Correspondence received from Bob Clark, Clark Consulting Services, dated December 13, 2020 regarding 230 Frontenac Street.  
Schedule Pages 43 – 50
- g)** Correspondence received from Paul Purves dated December 13, 2020 regarding 98 Clergy Street East.  
Schedule Pages 51 – 53

- h)** Correspondence received from Joan Bowie, dated December 14, 2020 regarding 230 Frontenac Street.

Schedule Pages 54 – 55

- a) Correspondence received from **Donna Lounsbury** dated November 13, 2020 regarding 230 Frontenac Street.  
Pages 2 – 7
- b) Correspondence received from **Chris Walmsley & Linda Schmalz** dated November 11, 2020 regarding 230 Frontenac Street.  
Pages 8 - 11
- c) Correspondence received from **Duncan McDougall and Judy Reid** dated November 12, 2020 regarding 230 Frontenac Street.  
Page 12
- d) Correspondence received from **Beth Bruce and Brian Flynn** dated November 15, 2020 regarding 230 Frontenac Street.  
Page 13

- a) Correspondence received from **Donna Lounsbury** dated November 13, 2020 regarding 230 Frontenac Street.

Pages 2 – 7

Submission to the Committee of Adjustment regarding 230 Frontenac Street (File number: D13-039-2020)

To: Secretary-Treasurer, Committee of Adjustment  
From: **Donna Lounsbury** homeowner of 226 Frontenac Street  
Date: November 13, 2020  
Re: Variances for residential property at 220 Frontenac Street

I live right next door to the subject property on 230 Frontenac Street, so it is with dismay and disbelief that I write to the Committee of Adjustment about the proposed construction of a significant “addition” to this house and the proposed plan to add parking spaces in the back yard.

My reasons for objecting to this project are substantial, including:

- 1) The proposed construction is in violation of the city’s own by-law 6.3 (g) (ii) which specifies, for good reasons, requirements around building depth. This addition (on a house which already has an addition) exceeds the depth requirements by 26 feet.
- 2) The destabilization of an important block on Frontenac Street which is a wonderful mix of single student homes, historic institutions, and family homes. The proposed development will have a large negative impact on neighbouring properties.
- 3) The proposed development contravenes the City’s own Official Plan in several important ways.
- 4) This large development which will overlook my deck, backyard and pool areas, is an absolute invasion of my personal privacy and personal space as the adjacent homeowner. If constructed, it will greatly impact the quality of my family’s life.

I will cover these points in the notes below.

**1) Violation of City By-Law 6.3 (g) (ii)**

The current by-law is crystal clear that “the maximum permitted building depth for any permitted residential building in the A Zone shall **be the average distance between the established front building lines and the established rear building lines of the two nearest permitted residential buildings** on the nearest lots on the same block on opposite sides of the subject building.” Right now, the property at 230 Frontenac Street is approximately the **same depth** of the neighbouring properties.

Why then, would the city allow the violation of its own by-law, not by a small amount but

by 26 feet? To put this in perspective, this would allow a structure which would take up half the space of the current backyard and which would then fully abut/overlook my own yard, deck and pool area. It is unacceptable that the city would permit this sort of encroachment and intrusion on neighbouring family properties.

2) **Destabilization of an important and historic neighbourhood (Frontenac St. between Earl Street and Union St.)**

**Frontenac Street, between Earl and Union, is a significant and quite beautiful block in the heart of the city, abutting the Queen's campus. Over time (I have owned this house for 25 years), the block has remained relatively stable, with a wonderful mix of important institutions (KCVI, the Smith School of Business, and several properties owned by the Catholic Diocese), student homes, and family homes.**

My 2.5 story home, for example, was built in 1902 and several others on this block are of the same vintage. Many like mine are red brick Victorian style with limestone foundations and others closer to Earl Street are grey stone, but nonetheless unique in design and character. The heritage property of KCVI together with early 20<sup>th</sup> century homes in this neighbourhood are an important part of Kingston's early development as the University expanded and families and professors moved into the area (circa early 1900's). We have tolerated some changes in this area, but we are now at a tipping point where ill-considered development, such as back yard infills and parking lots, will have **long-term negative impacts on the many beautiful properties left in this neighbourhood.**

3) **Violation of the City of Kingston's Official Plan**

***Proposed development is inconsistent with the character and standards of adjacent properties***

The City's Official Plan makes clear that proposed developments should be "consistent with surrounding areas, buildings, and development standards of adjacent properties". This proposed "addition" is wholly incompatible with the family homes that abut it, both mine at 226 Frontenac Street and the one directly behind at 239 Albert Street. Our homes are restored turn of the century houses with landscaped yards and outdoor deck areas. A large infill structure next door (on a house which already has an addition!) will be an eyesore and an aberration in an otherwise beautiful neighbourhood.

The recent infill property at 216 Frontenac Street (approved by the Planning Committee in September 2019) makes clear the negative impacts of poor planning. While described as a "rear addition" to 216 Frontenac Street, the new addition is in all aspects a separate large building, filling almost the entire back yard save for a small parking lot in the rear. Planned for five residents, the property management company has consistently advertised it for 8 residents.

These infills for the purpose of intensification are inappropriate to the neighbourhood in question.

***Increased levels of noise and other pollution***

I have enjoyed living in the student neighbourhood close to Queen's, despite occasional issues with parties and noise. Overall, this has been a calm and peaceful neighbourhood. I foresee this changing dramatically with further intensification.

Moreover, there will almost certainly be several parked cars in the backyard of this new development. This is mentioned in the notice of public meeting under variance number 2: "permit the usage of the existing driveway to provide vehicular access to the **parking spaces** in the back yard". While the plan calls for two parking spaces, I am certain this will be exceeded (as it is already at 216 Frontenac Street). This will cause noise, dust, odour, and the coming and going of more cars on an already busy street.

- 4) **Loss of privacy from proposed development & other externalities (Please note that the points below are also in violation of the City's Official Plan. I have separated them here because of the seriousness of their impact on me personally).**

***Loss of privacy due to intrusive overlook***

The proposed addition directly impacts the privacy of neighbouring properties, both mine next door at 226 Frontenac Street and the family home directly behind at 239 Albert Street. Currently, my home is very private with a deck and back yard that are well shielded from neighbours on both sides. I am a recent widow now living on my own on a wonderful piece of property that I have cherished for more than 25 years. It's extraordinarily important to me that I not be subject to the intrusive overlook of neighbouring properties. Even minimizing windows on the southern side of the building does not mitigate this intrusion. A 2000 square foot building directly abutting my private yard and deck, and cars parked right beside my back yard are clearly an intrusion. Ask yourselves how you would feel about such a large unattractive building in your own neighbour's back yard.

***Reduction in ability to enjoy my property***

The backyard and gardens are now wonderfully private where I can spend time with friends, adult children and grandchildren. My quality of life will be seriously impacted with the building of this new property right on top of my personal space. I also worry about safety since this level of intensification, and close proximity to so many residents can lead to all kinds of potential problems.

**Conclusion**

This is an instance of bad development which will significantly diminish the value and

attractiveness of our neighbourhood. There are many examples of good development across the city right now, but in my view and the view of my neighbours, there is no redeeming value for this proposed development. Please make the right decision!! (I have attached pictures that are relevant to your decision).



The current addition of 230 Frontenac Street which is close to my deck.





An infill/addition behind the current house (the white one) would completely overlook my patio, deck and yard, intruding on my personal space







Looking at the back of my house with KCVI in the background, and another Victorian style house next door.

- b) Correspondence received from Chris **Walmsley & Linda Schmalz** dated November 11, 2020 regarding 230 Frontenac Street.

Pages 7 - 11

Date: November 11, 2020

From: **Chris Walmsley & Linda Schmalz**

239 Albert Street

Kingston, Ontario K7L

3VContact:

**To:** City of Kingston, Planning Services Department, Committee of Adjustment

I am writing to express my strong objection to the proposed variances requested in:

- **File Number D13-039-2020**

My wife and I live at 239 Albert Street which backs directly on the subject property and thus we will be *directly* affected by the proposed development.

We have lived at this location for more than 22 years. We are dismayed to have watched our street and block change from a majority of owner-occupied residences and a reasonably balanced amount of student and rental housing, to the point where the percentage of student and rental housing is more than 85%.

Note that the City of Kingston website, when queried for the term “Monster”, results in more than 50 comments from residents who are objecting to Monster Houses or Monster Additions in other planning proposals. This is not a new concern, or a new problem. The City held public meetings in the recent past to even float the idea of a moratorium on Monster Additions, which would seem to indicate that the City and the Planning Department has a more than significant amount of concern about the type of development being proposed in this application.

**Variance 1** request of the proposal is asking to build beyond the permitted maximum depth. I see no compelling need to allow this variance. The bylaw in question ( 8499: 6.3(g))ii)(1)(a) ) must be intended to prevent property owners from building large additions that are out of proportion with respect to the neighbouring properties. As evidenced by the current makeup of this block, it is in no need of greater intensification and already has more than enough infill.

Granting such an extreme variance to bylaw 8499 just for the “asking”, and without a

compelling reason, seems entirely against the intent of the bylaw and simply motivated by the desire of the property owner to generate more revenue. Even more troubling, approving this variance has the potential to cascade to further development of the adjacent properties, enabling substantial additions that would no longer require a variance. Approving this variance would send a clear message that developing for profit alone is more important to the city than maintaining a balanced neighborhood, and would encourage even more variance requests in the area.

**Variance 2** request of the proposal is indicating that the driveway would also be used as an “unobstructed pathway” to the additional unit, and that it will be extended to provide access to a new parking area in the backyard. It seems unwise to dual-purpose a driveway with a secondary purpose of a pedestrian walkway. The indication of backyard parking, as would be needed for such intensification, would result in a negative impact on our property,

- It would become almost entirely surrounded by parking lots
- A significant greenspace would be eliminated

Our backyard includes a back deck, a stone patio, outdoor furniture, gardens, grass areas, and a garage/workshop. We spend significant time enjoying being in our backyard. However, our enjoyment of normal residential activities has been noticeably diminished by the changes in use of backyards for parking in recent years. This proposed variance would decrease the look and feel of the neighborhood even more. We suffer from fence damage from neighbouring snowplows, noise and exhaust from cars, and increased concern for our pets and elderly parents (who visit regularly) with all the traffic resulting from continuous parking traffic. Further intensification and further conversion to parking lots will make it feel like we are living in the middle of a mall parking lot.

Contrary to report COA-20-059 (Report to the Committee of Adjustment), we feel that:

- (b) Loss of Privacy: The proposed development has a main entrance and 6 windows directly facing our backyard (west elevation). This combined with parking traffic will adversely affect our privacy and enjoyment of our landscaped backyard. We already have Monster Additions immediately to our south side where we already have a significant loss in privacy due to overlook.
- (c) Noise, Dust, Light: Having new parking spaces adjacent to our backyard, and the proposed unit being much closer to our yard than the current dwelling will undoubtedly increase the disruptive headlights that shine into our yard, as well as noise from vehicles and noise and disruption from snow plowing.
- (h) Ability to Enjoy our outdoor area: Further increases in the density of car parking, and increased the proximity of dwelling structures has an undeniable effect of reducing our ability to enjoy our property and backyard.

The continued and cascading effect of allowing such variances is matched with decreasing ability to spend time in and enjoy our outdoor space.

Please see the attached diagram, based on City of Kingston KMaps data. The diagram highlights in **yellow** all of the backyards that have been 100% converted to parking lots, and in **red**, all the properties with "Monster Additions". The subject property is noted with "????".

Please note:

- The large proportion of back yards that are entirely parking lots, and similar non-adherence to the minimum landscaped outdoor space requirement.
- The significant number of Monster Additions. These presumably would all have required a variance from bylaw 8499.

In summary, I do not see the need for further intensification on a block that already has more than its share of Monster Additions and a significant lack of backyard greenspace. This and similar developments would further erode the remaining ratio of owner occupied houses to rental houses. I'm concerned that it will bring the neighbourhood to a tipping point where the remaining owners will move away.

Sincerely

**Chris Walmsley / Linda Schmalz**



Parking  
Lots

Monster  
Additions

- c) Correspondence received from **Duncan McDougall and Judy Reid** dated November 12, 2020 regarding 230 Frontenac Street.

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Secretary-Treasurer  
Committee of Adjustment  
City of Kingston  
Minor Variance, 230 Frontenac Street (D13-039-2020)

Dear Secretary-Treasurer,

My husband and I live at 253 Albert Street and have received the notice about the proposed development on 230 Frontenac Street. We strongly object to this proposal which will result in yet another large unattractive “addition” – and likely a parking lot as well – in the back yard of one of the neighbouring properties.

Albert Street and Frontenac Street, on the block between Earl Street and Union, were once beautiful family neighbourhoods with stately homes and spacious back yards. There has already been far too much intensification and the families remaining (yes, there are still multiple families left!) have had enough. Some of us have lived here for decades, have raised our families here and are now enjoying our retirement here. Is the City trying to force us out? That is certainly what it feels like.

Your approval of these so-called “minor variances” will have a major negative impact on the neighbouring properties by taking away greenspace, significantly impacting the attractiveness of our properties and our quality of life.

Moreover, the proposed 2000 square foot structure will result in greater noise (from 5-8 student residents and who knows how many cars), more pollution and exhaust fumes close to our homes, and encroachment of our private back yard spaces. Why is it that the Committee of Adjustment is so protective of the “streetscape” of our neighbourhoods, but inclined to completely ignore the significant adverse effects of monster additions abutting our back yards? This infill development seriously impacts our ability to enjoy our private outdoor spaces!

We urge the Committee of Adjustment to deny these variance requests. While described as “minor”, they will in fact bring major negative consequences to our neighbourhood and to our individual properties.

We fully support the additional reasons put forth by **Donna Lounsbury and Chris Walmsley** and join them in strongly opposing this proposed project.

Sincerely

**Duncan McDougall**  
**Judy Reid**



d) Correspondence received from **Beth Bruce and Brian Flynn** dated November 15, 2020 regarding 230 Frontenac Street.

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From: **Beth Bruce**  
Sent: Sunday, November 15, 2020 1:07 PM  
To: Planning Outside Email <Planning@cityofkingston.ca>  
Subject: Attention Secretary -Treasurer, Committee off Adjustment-230 Frontenac St  
File # D13- 039-2020

Secretary-Treasurer  
Committee of Adjustment  
City of Kingston

Minor Variance, 230 Frontenac Street (D13-039-2020) Dear Secretary-Treasurer,

We live at 236 Frontenac Street and have received the notice about the proposed development on 230 Frontenac Street, two doors down from our family home. We join our neighbours (**Donna Lounsbury** 226 Frontenac Street and **Chris Walmsley** at 239 Albert Street) in strenuously objecting to this large addition which will overlook our backyard. It will not only be an intrusion of our privacy and an eyesore to our neighbourhood, but it will almost certainly result in greater noise, and likely more pollution with additional cars parked in the back yard.

The plan calls for five bedrooms and two parking spots, but as we have seen in so many other developments, these limits will be exceeded by the landlord. Study rooms and TV rooms will almost certainly become additional bedrooms as we have seen from other properties nearby. Parking will occur all over the back lawn area.

We have lived in this relatively quiet neighbourhood for 22 years and have enjoyed raising our children here. It is a perfect mix of families, student homes and institutions like KCVI and the old Victoria School. We have seen worrisome changes on this block in recent years, with parking lots taking over back yard green space and ill-considered development, especially the infill building at 216 Frontenac Street earlier this year. On balance though, this has been a fairly stable and still beautiful neighbourhood. The proposed addition will have a serious negative impact, significantly reducing the privacy we enjoy in our backyards and the overall attractiveness of our properties. We urge the Committee of Adjustment to deny these variance requests. While described as minor, they will in fact bring major negative consequences to our neighbourhood and to our individual properties.

While this submission is quite brief, we fully support the reasons put forth by **Donna Lounsbury** and **Chris Walmsley** in strongly opposing this proposed project.

Sincerely,  
**Beth Bruce**  
**Brian Flynn**

**From:** Amber Simpson

**Subject: Re: 101 College St. Minor variance application for Porch with roof**

**Date:** December 7, 2020 at 6:07:43 PM EST

**To:** Chris Howard



**CAUTION:** The Sender of this email is not from within Dalhousie.

Dear Chris,

Burton and I are delighted with the improvements planned for your home.

Best,  
Amber and Burton

**From:** Andrew Daugulis

**Date:** December 8, 2020 at 4:57:22 PM EST

**To:** Chris Howard

**Subject: Re: 101 College St. Minor variance application for Porch with roof**

CAUTION: The Sender of this email is not from within Dalhousie.

Hi Chris,

Thanks for the update and the plans. Nancy and I have no concerns whatsoever about the project and expect that the end result will be an extremely attractive and functional porch. It will be a great place to spend time on summer evenings.

Best wishes,

Andrew Daugulis

98 College Street

**From:** [REDACTED]  
**To:** [Robidoux, Meghan](#)  
**Subject:** Fwd: 101 College St. Minor variance application for Porch with roof  
**Date:** December 9, 2020 1:45:01 PM

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Hi Meghan,

This is from my neighbour at 111 Hill Street.

Thanks,  
Chris

Sent from my iPhone

Begin forwarded message:

**From:** John Telgmann [REDACTED]  
**Date:** December 9, 2020 at 1:14:10 PM EST  
**To:** Chris Howard [REDACTED]  
**Subject:** Re: 101 College St. Minor variance application for Porch with roof

**CAUTION:** The Sender of this email is not from within Dalhousie.

Hi Chris,

Thank you for coming over yesterday to explain and show me your porch plans in detail and sending me the two drawings. I am fine with you plans and the minor variance application.

Some small tree like a narrow cedar or bush at the East side of the porch near the corner of your house would make the look from my side a little more natural (like what the previous owner had). However, that is not a big deal and totally up to you.

All the best at the Committee of Adjustment.

Your neighbour John at 111 Hill Street

John Telgmann [REDACTED]

On Tue, Dec 8, 2020 at 12:13 PM Chris Howard [REDACTED] wrote:

Hi John

Attached is the plan and elevation of the covered porch I am proposing to have built. The porch is 0.3m (1 foot) closer to Hill street than the city by-laws permit, so I am applying for a minor variance to ask for special permission to build as designed.

The proposed design will make better use of the space on the Hill street side of my house and allow us to spend more time outside. I hope this connection to

Hill street will help contribute to a friendly neighbourhood.

Please let me know if you have any thoughts about the design - I will forward these on to Meghan Robidoux, the Planner in charge of my application.

Thank you,

Chris

--

N. John Telgmann, CPA, CGA



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## PLANNING OVERVIEW

25 August 2020

Mr. Waleed Albakry  
Senior Planner  
Planning, Building & Licensing Services  
City of Kingston

### RE: 230 Frontenac Street – Application for Minor Variance

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#### Proposal + Background

The Boulevard Group Inc. (BLVD.) has been retained by Henglee Kingston Inc., owner of the property known municipally as 230 Frontenac Street. The owners are seeking approvals to expand the existing single family dwelling located on the subject property through the construction of a rear addition which will accommodate a second residential unit. The total gross floor area of the proposed second residential unit is 190 square metres with a building footprint of approximately 67 square metres. The proposed development complies with all applicable zoning performance standards with the exception of building depth and an unobstructed exterior access of 1.2 metres in width from the front of the principle dwelling to the second residential unit entrance. This Planning Justification letter details the overall development plan as well as the relief required to facilitate the proposed development on the subject property.

The subject property is located on the western side of Frontenac Street, south of Earl Street and north of Union Street. Directly opposite the site on the east side of Frontenac Street at the site known municipally as 235 Frontenac Street is the Kingston Collegiate & Vocational Institute (KCVI). The 505 square metre subject property is currently developed with a single family dwelling that maintains 215 square metres in total gross floor area. The existing structure is 2.5 storeys in height and accommodates one on-site vehicular parking space in the northern interior side yard.



The proposal seeks to increase the total number of residential dwelling units on the subject property from one to two, through the addition of a second residential unit. Two on-site vehicular parking spaces are proposed to be accommodate in the rear yard, accessed via the existing driveway located in the northern interior side yard. The proposed rear addition has been designed so that the scale doesn't protrude and exceed the roofline of the single family dwelling on the subject property. **The development will largely be screened from the streetscape of Frontenac Street. The existing driveway which will serve to provide vehicular access to the rear yard parking spaces will also function as the 1.2 metre wide access pathway required from the front of the principle dwelling to the second residential unit.** Notwithstanding this minor nuance, the proposed second residential unit complies with all applicable zoning performance standards recently approved by Planning Committee & Council – Report Number PC-19-028.

### Site Statistics

The following site statistics details the applicable performance standards from Zoning By-law Number 8499, as amended, applicable to the proposed second residential unit located at 216 Frontenac Street:

Zoning By-law (#8499) Provision	Required performance standard	Existing (Principle Dwelling Unit)	Proposed (Second Residential Unit)	Relief req'd
<b>General Provisions</b>				
Parking Rate {Section 5.3A(a)(i)}	1 space per dwelling unit	1 space	1 space	No
Parking Area {Section 5.3B(cc)}	40 square metres	< 40 square metres	< 40 square metres	No
Parking Stalls {Section 5.3B(h)}	2.7m x 6.0m	2.7m x 6.0m	2.7m x 6.0m	No
Private Amenity {Section 5.26A}	Min. 10sqm indoor living room with ceiling height min. of 2.15m	>10 square metres	>10 square metres	No
<b>'A' Zone Provisions</b>				
Permitted Uses {Section 6.2(a)}	One- & Two-Family Dwelling	One-Family Dwelling	Second Residential Unit	No

Density {Section 6.3(a)}	370sqm per dwelling unit	N/A	N/A	N/A
Front Yard {Section 6.3(b)}	4.5 metres	N/A	> 4.5 metres	No
Side Yard {Section 6.3(c)(i)}	0.6 metres	N/A	0.6m south 3.0m north	No
Aggregate Side Yard {Section 6.3(c)(i)}	3/10 lot width or 3.6 metres	N/A	3.8m	No
Rear Yard {Section 6.3(d)}	a. Height of rear wall  b. 25% of lot depth  c. 7.5 metres	>20 metres	20.8 metres	No
Lot Coverage {Section 6.3(e)}	33.3%	Approx. 20%	31%	No
Building Height {Section 6.3(f)(ii)(1)}	10.7 metres to ridge	As Existing	7.9m	No
Exterior Wall Height {Section 6.3(f)(ii)(2)}	7.0 metres	As Existing	6.6m	No
Max. Building Depth {Section 6.3(g)(ii)(1)}	Average of two adjacent properties  226 Frontenac St: 17.4m  232 Frontenac St: 18.0m  Avg: 17.7m	14.6m	25.6m	Yes - Variance of 7.9m

Max. FSI {Section 6.3(h)(ii)}	1.0	Lot Area: 504 sqm  Existing dwelling: 215 sqm  FSI: 0.42	Lot Area: 504 sqm  Dwelling including addition: 405 sqm  FSI: 0.8	No
Min. Landscaped Open Space {Section 6.3(o)}	30%	>45%	36%	No
<b><u>Second Residential Unit Provisions</u></b>				
Servicing {Section (v)}	Water & Sewer servicing availability	Yes	Yes	No
Tandem Parking {Section (xiv)}	Permitted	N/A	N/A	N/A
Access {Section (xv)}	Rear dwelling unit must have separate exterior access	N/A	Exterior access provided	No
Access Aisle {Section 5.45(xvi)}	The exterior entrance to a Second Residential Unit that is within a Principal Dwelling Unit (i.e. not a detached second residential unit), and is located at the side or rear of the Principal Dwelling Unit, shall be accessed by a minimum 1.2 metre wide unobstructed pathway provided from the front of the Principal Dwelling Unit building or the front lot line. For the purposes of this subsection, a “pathway” is defined as a hard surface treated path that	N/A	The use of a driveway shall be permitted to provide unobstructed access to an attached second residential unit where the driveway is not required to meet the parking requirements.  Compliant on-	Yes

	is separately delineated from the driveway and provides pedestrian access. "Unobstructed" means no obstructions to a height of up to 2.3 metres. This provision shall not prevent the establishment of a gate to access the rear yard.		site parking proposed within rear yard.	
GFA {Section (xx)}	Second Residential Unit GFA must be equal or less than Principle Dwelling Unit	N/A	Existing: 215 sqm Second Unit: 190 sqm	No
Schedule M	Constraint Overlay	N/A	Outside of subject property	Outside of subject property
Schedule N	Natural Hazards Overlay	N/A	Outside of subject property	Outside of subject property

Table 1 – Comprehensive Site Statistics summary

VariANCES

A variance is required from Section 6.3(g) of Zoning By-law Number 8499, as amended to seek relief from the maximum permitted residential building depth of the One-Family and Two-Family Dwelling 'A' zone. Within the 'A' zone, the maximum permitted building depth for any permitted residential building is calculated based on the average distance between the established front building line and the established rear building line of the two nearest permitted residential buildings on the nearest lots on the same block on opposite sides of the subject property.

Based on these criteria, it has been determined that the residential buildings located at 226 and 232 Frontenac Street are to be considered in determining the building envelope permitted on the subject property. The building depth of 226 Frontenac Street is 17.4 metres, while the building depth of 232 Frontenac Street is 18.0 metres. Therefore, the maximum building depth permitted on the subject property (230 Frontenac Street) is 17.7 metres. The existing single detached dwelling located at 230 Frontenac Street is 14.6 metres in depth, therefore, any building addition at the rear in excess of 3.1 metres would require relief from building depth provision (Section 6.3(g) of Zoning By-law Number 8499, as amended). The proposed second

residential unit located at the rear of the existing dwelling is 10.9 metres in depth, therefore relief of 7.9 metres is required.

Furthermore, the General Provisions of all City of Kingston Zoning By-laws were updated in 2019 to include broadened permissions with respect to accommodate second residential units on subject properties throughout the City. Seven (7) specific performance standards were introduced to ensure that second residential units developed in accordance with land use criteria that the City felt were important in maintaining key land use planning principles. Of those performance standards, Section 5.45(xvi) requires that a minimum 1.2 metre wide unobstructed pathways is provided from the front of the principle dwelling unit or the front lot line to the second residential unit granted it's attached. The By-law further defines unobstructed to mean: 'no obstructions to a height of up to 2.3 metres'. As the parking is proposed to be located in the rear yard, the interior side yard is not required for parking spaces and therefore it will only function as an access driveway. Due to the width of the lot, it would be impossible to develop a second residential unit at the rear of the principle dwelling unit on the subject property in accordance with these requirements, without demolishing the existing structure.

An application for minor variance is not a simple mathematical calculation, but rather a detailed assessment of whether the variance required meet the four tests of a minor variance as outlined in Subsection 45(1) of the *Planning Act*.

Prior to detailing the four tests applicable to a minor variance (as outlined in subsection 45(1) of the *Planning Act*) a review of the Provincial Policy Statement should be considered as any decision regarding a planning matter shall be consistent with the 2020 Provincial Policy Statement (PPS). The PPS provides policy direction on matters of provincial interest related to land use planning and development.

The owners request to facilitate the development of a second residential unit at the rear of the existing single detached dwelling, on a parcel located within the urban boundary does not involve any major policy consideration and in our opinion is consistent with the following PPS policies:

**Section 1.1.1;** Healthy, livable and safe communities are sustained by:

- a. Promoting efficient development patterns which sustain the financial well-being of the Province and municipalities over the long term;
  - o *The proposed development of the subject property signifies a financial investment of a residential property within the urban boundary that utilizes existing services and infrastructure. The proposal seeks to maintain consistent development practices and built form with those in the immediate neighbourhood.*
- b. Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and

commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

- *The proposed development will contribute to the mix of development in the area by providing an additional residential dwelling unit of varied size and bedroom count within the urban boundary on a parcel serviced with municipal infrastructure.*

c. N/A

d. Avoid development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

- *The subject property is located within an existing urban area (settlement area) that adheres to the principles of infill redevelopment.*

e. Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

- *The proposed development is of a density that efficiently utilizes land and servicing within the urban boundary. Further the subject property is located within an area that supports the City's desire to increase transit ridership.*

**Section 1.1.2:** Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines.

- *The proposed development of a second residential dwelling unit on the subject property which currently accommodates a single family dwelling is located within an area of the City that accommodates a range of uses and built forms. The proposal will assist the City of Kingston in providing housing options / alternatives to meet the projected population growth without expanding the urban boundary.*

**Section 1.1.3.1:** Settlement areas shall be the focus of growth and development.

- *The subject property is located within the urban boundary, is well serviced by transit and active transportation options. The site is also located within close proximity to other amenities such as Queen's University, Kingston General Hospital, Central Business District and Victoria Park.*

**Section 1.1.3.2:** Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a. efficiently use land and resources;



- b. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion.
- c. minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d. prepare for the impacts of a changing climate;
- e. support active transportation;
- f. are transit-supportive, where transit is planned, exists or may be developed; and
- g. are freight-supportive.
  - o *The proposed development will efficiently use land and resources as the subject property is located within close proximity to a range of public amenities. The subject property will efficiently utilize existing services (water, sanitary, storm and roads) to service the proposed development and not require the City to expand any public infrastructure in an unjustified or uneconomical expansion. The proposed development seeks to increase the density on a property already developed within the urban boundary that is comprised of an appropriate built form .*

**Section 1.1.3.3:** Planning authorities shall identify and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

- o *The proposed development does not necessitate the expansion or extension of municipal services.*

**Section 1.1.3.4:** Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety.

- o *The proposed development on the subject property is not anticipated to negatively impact public health and safety.*

**Section 1.1.3.5:** Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.

- o *Section 2.4.5 of the City of Kingston Official Plan confirms it is the City's goal to increase the urban residential density by a minimum of 9% by 2026. Based on the City of Kingston methodology of calculating density, (number of dwelling units) the proposed development seeks to increase the existing residential density through the development of a second residential unit. The subject property is located within the downtown core, urban boundary, where the City desires additional residential development.*

**Section 1.1.3.7:** Planning authorities should establish and implement phasing policies to ensure:

- a. That specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas.
  - o *As identified on Schedule 2 of the City of Kingston Official Plan, the urban growth boundary details the areas of the municipality in which the City desires residential intensification. The subject property is located within the urban growth boundary, an area in which increased density is desired.*

**Section 1.4.1:** To provide for an appropriate range of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a. Maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development.
  - o *The proposed development seeks to assist in accommodating residential growth through intensification. The proposed development seeks to contribute in expanding the City's housing stock and the mix of housing types available for residents.*

**Section 1.4.3:** Planning authorities shall provide for an appropriate range of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- b. Permitting and facilitating:
  - 1. All housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
  - 2. All types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
- c. Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d. Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed.
  - o *The proposed development will provide additional rental tenure residential dwelling units that meet the needs of current and future residents. The proposal seeks to efficiently use land. The proposed development is proposing to increase density through the number of residents residing on the subject parcel in close proximity to transit and walking distance to multiple amenities, public parks and public facilities.*

**Section 1.6.3:**

- a. The use of existing infrastructure and public service facilities should be optimized; and
- b. Opportunities for adaptive re-use should be considered, wherever feasible.
- o *The proposed development will make use of existing infrastructure and public services provided by the municipality.*

**Section 1.6.7.4:** A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

- o *The subject property is in close proximity to public transit and supports other transportation modes, such as active transportation, being in close proximity to Queen's University, major employers and the anchors of the Central Business District.*

**Section 1.8.1:** Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:

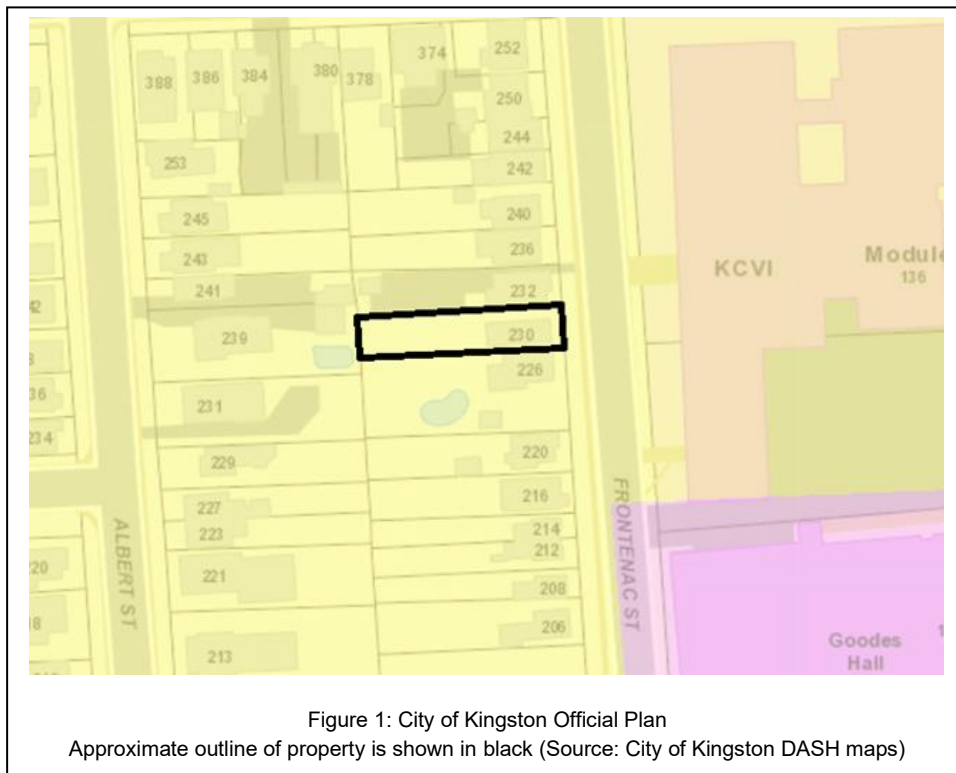
- a. Promote compact form and a structure of nodes and corridors;
  - o *The proposed redevelopment seeks to add a rear addition that is consistent with the built forms concentrated in the surrounding area.*
- b. Promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
  - o *The proposed development is located in close proximity to major employers within the Central Business District, Queen's University. Access to these uses can be accomplished via active transportation. Other areas of the City may be accessed via public transit, which the subject property is in close proximity to.*
- c. N/A
- d. N/A
- e. Encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion; and
  - o *Amenities such as Queen's University, Kingston General Hospital, and the Central Business District are located in close proximity to the subject property, which may be accessed via active transportation.*
- f. N/A

- g. Maximize vegetation with settlement areas, where feasible.
  - o *Through the overall development plan, the owner is proposing to retain all existing vegetation on the subject property.*

Based on the review completed above in consideration of the proposed Zoning By-law Amendment application, we are of the opinion that the proposed development is consistent with the intent of the Provincial Policy Statement (PPS).

**The general intent and purpose of the Official Plan are maintained**

The subject property is designated Residential in the City of Kingston Official Plan. The Plan provides direction related to minor variance applications through Section 9.5.19. Detailed below is a review of the applicable Official Plan policies when considering a minor variance:



1. *The proposed development meets the intent of Section 2 – Strategic Policy Direction and all other applicable policies on the Plan.*

The subject property is designated 'Residential' as per Section 3.3 in the Official Plan (see Fig.1). Section 3.3 of the Official Plan specifies that the goal of the Residential

designation is to respond to the housing needs of the City's citizens by retaining and augmenting a broad range of housing within a safe, convenient and stable setting, organized primarily into neighbourhoods. The predominant use within the 'Residential' designation is residential dwellings, including detached, semi-detached or duplex dwellings, townhouses, and apartments of various types, tenure and density that respond to a wide range of housing needs.

The focus of growth within the City of Kingston will occur mostly within the Urban Boundary (Section 2.2.1). The subject lands are located within a Housing District on Schedule 2 - Urban Structure in the City of Kingston Official Plan.

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

The Official Plan identifies that it is the intent of the City to increase urban residential density and that residential intensification targets are to be achieved through larger scale development; the expansion or conversion of existing buildings; the redevelopment of vacant, underutilized or brownfield sites; and infill developments (Section 2.4.5).

The owner is proposing to construct a second residential unit at the rear of an existing single detached dwelling. The subject property is located within a housing district, within the urban boundary and seeks to increase the residential density through a built form consistent with the existing structure on the subject property and consistent with surrounding neighbourhood. The proposed second residential unit is to be contained within a 68.5 square metre building footprint rear addition, in a two and a half storey built form that respects the built form existing single detached dwelling on the subject property.

- 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.*

Section 2.7.1 requires development to demonstrate that the resultant form, function and use of land are compatible with surrounding land uses. Land use compatibility matters and mitigation measures may be used to achieve development and land use compatibility including, but is not limited to:

- *Shadowing;*

The proposed second residential unit is consistent with the massing and built form of the existing single detached dwelling on the subject property. The proposed exterior wall height and overall building height comply with the maximum permissions contained within the 'A' zone, which are applicable to the subject property and those within the surrounding neighbourhood.

- *Loss of privacy due to intrusive overlook;*

The proposed second residential unit has limited windows on both the eastern and western building walls. As detailed on drawing A4, the proposed left elevation which illustrates the proposal from the south, there are no windows or openings proposed. The right elevation, which illustrates the proposal from the north, there is only one window and one door included. As such, the overlook into the rear yards of 226 Frontenac Street and 232 Frontenac Street is limited.

The proposed second residential unit was carefully designed so that the majority of window openings are located on the rear building wall, which overlooks the approximately 20 metre deep rear yard amenity area on the subject property. The proposed development complies with the minimum side yard setback and maximum building height requirements and exceeds the minimum rear yard setback requirement. The proposed second residential unit is not anticipated to result in a loss of privacy due to intrusive overlook.

- *Increased levels of light pollution, noise, odour, dust or vibration;*

There is no increased level of light pollution, noise, odour, dust or vibration as a result of the proposed second residential unit.

- *Increased and uncomfortable wind speed;*

There is no increased or uncomfortable wind speed anticipated as a result of the proposed second residential unit.

- *Increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the functionality of active transportation or transit;*

As required by Zoning By-law Number 8499, as amended, one parking space is proposed for each dwelling unit. The existing single detached dwelling adequately functions with the existing single parking space, and the proposed second residential unit is anticipated to function adequately with the proposed second on-site parking space. The additional residential dwelling unit and vehicular parking space on the subject property is not anticipated to result in an increased level of traffic that will disrupt the neighbourhood. In



addition to the additional on-site parking space, the subject property will provide sufficient on-site amenity space and landscaped open space for the residents.

- *Environmental damage or degradation;*

It is not anticipated that the proposed second residential unit will result in environmental damage or degradation.

- Diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;

Through consultation with both Engineering Services and Utilities Kingston, it is the owners understanding that the proposed second residential unit can be accommodated from a physical infrastructure perspective.

- *Reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting;*

The proposed second residential unit is to be located at the rear of the existing single detached dwelling. The proposed addition is largely screened from the public street, however both pedestrian and vehicular access to the additional dwelling unit has been carefully considered.

It is proposed that the driveway access along the northern interior side yard which provides access to the rear yard on-site parking will also function to provide pedestrians an unobstructed pathway access to the front yard, rear yard, parking area and second residential unit entrance. On-site, signage will be placed to limit vehicles from parking on the driveway and impeding vehicle and pedestrian access in the side yard.

The subject property is proposed to maintain in excess of 30% landscaped open space as well as exceed the minimum on-site amenity area requirement. Therefore, it is our opinion that the proposed development does not reduce the resident's ability to enjoy the subject property.

A scoped Heritage Impact Statement and Heritage Impact Statement Addendum have been completed by Andre Scheinman, who concluded that the proposed second residential unit located at the rear of the existing single detached dwelling will not result in any adverse impacts on the heritage character of the area.

- *Visual intrusion that disrupts the streetscape or buildings;*

The proposed second residential unit has been designed to respect the heritage character of the area, as concluded by Andre Scheinman through a scoped Heritage Impact Statement and Addendum. Furthermore, the proposed development has been designed

with consideration of Section 8 (Urban Design) of the Official Plan, and the Residential Design Guidelines.

- *Degradation of cultural heritage resources;*

The proposed second residential unit will not result in the degradation of cultural heritage resources. In addition to the scoped Heritage Impact Statement and Addendum, the applicant has completed an Archaeological Assessment that has been reviewed by the Ministry of Tourism, Culture and Sport.

- *Architectural incompatibility in terms of scale, style, massing and colour; or*

The proposed second residential unit has been designed so that it is compatible in terms of scale, style and massing with the existing single detached dwelling on the subject property. Although detail designed has not been completed at this time, it is anticipated that the façade materiality and colour will be consistent and complement the existing on-site development.

- *The loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.*

The proposed second residential unit will not result in the loss of significant views of cultural heritage resources or any other natural features.

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 proposed second residential unit involves the construction of a rear addition onto an existing single detached dwelling. There are two on-site vehicle parking spaces proposed in the rear yard to accommodate the residents of the two dwelling units. Bicycle parking may be accommodated within the dwelling units. The proposed second residential unit has been designed to ensure compliance with the accessibility requirements of the Ontario Building Code.

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 Official Plan also contains policies with respect to urban design in Section 8.3 to ensure that new residential development is integrated into the existing built fabric and conducive to active transportation: Protect and preserve stable residential communities (in accordance with Section 2.6 of this Plan);

- a. *A well-established land use pattern in terms of density, type of use(s) and activity level;*

The form of the proposed residential development has been long established and recently promoted by the Province and City through recent revisions to policy. The overall density, type of use and scale of activity as proposed is consistent with the existing built form of residential development along Frontenac Street and within the surrounding residential neighbourhood.

- b. *A common or cohesive architectural and streetscape character, in terms of massing and built form, architectural expression, age of building stock, and street cross-section;*

The proposed second residential unit will not create intrusive overlook with respect to the adjacent residential properties. The height of the proposed development does not exceed the maximum permitted within the Zoning By-law and will complement the style and massing of the existing single detached dwelling on the subject property. The proposed variances respecting building depth and pedestrian access will not amend the age of building stock or street cross-section.

- c. *A stable pattern of land ownership or tenure;*

The proposed second residential unit does not seek to change the existing stable pattern of land ownership.

- d. *A consistent standard of property maintenance with relatively little vacancy in land or building occupancy;*

All properties within the City of Kingston are subject to the City of Kingston Property Standards By-law, this proposed second residential unit does not change the enforcement or applicability of the applicable maintenance standards.

- e. *A limited number of applications for development that would alter the established pattern of land assembly and built form;*

The proposed variances will not significantly alter the established pattern of land assembly and built form.

- f. *A sufficient base of social and physical infrastructure to support existing and planned development;*

Through consultation with City staff, it is the understanding of the owner that there is a sufficient base of social and physical infrastructure to support the proposed second residential unit on the subject property.

- g. Foster developments that are context appropriate;

The proposal does not involve a significant alteration to the existing built form on the site and will not cause any adverse impacts on adjacent properties. Although the proposed development exceeds the maximum permitted building depth, the development does not result in adverse impacts such as intensive overlook or shadowing on adjacent residential properties.

- h. Foster attractive developments which add to the existing sense of place;

The proposal is not anticipated to alter the existing character of the established surrounding residential neighbourhood.

- i. Provide a variety of housing types;

The proposal is seeking to add a second residential unit to an existing single detached dwelling and provide an option of additional housing within the City's urban boundary.

- j. Ensure compact, accessible mixed-use development;

The proposal contributes to the compact nature of the neighbourhood.

- k. Encourage environmentally sustainable development;

The proposal will not create a significant impact on the existing built form along Frontenac Street. The subject property is located within a serviced area which supports the sustainable use of lands, infrastructure and resources.

- l. Integrate and highlight cultural heritage resources;

A scoped Heritage Impact Statement was completed by Andre Scheinman, who concluded that the proposed development will not adversely impact the cultural heritage resources of the subject and surrounding properties.

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.

A scoped Heritage Impact Statement was completed by Andre Scheinman, who concluded that the proposed development will not adversely impact the cultural heritage resources of the subject and surrounding properties.

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 subject property is located within the urban boundary, through consultation with City and Utilities Kingston staff, it is the understanding of the owner that there is sufficient water and sewage services available to accommodate the proposed second residential unit.

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

The owner is seeking relief from only two (2) performance standards of applicable provisions detailed within Zoning By-law Number 8499, as amended. One provision relates to maximum building depth which is directly influenced by the existing built form of the two adjacent structures. Secondly, relief is being sought for the unobstructed pedestrian pathway width requirement as the driveway will be shared to function as a conduit for both vehicles and pedestrians. It is our opinion that the relief sought related to building depth is appropriate to be addressed via minor variance.

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.

It is anticipated through this application that conditions will be included as part of any Committee of Adjustment decision.

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

The surrounding residential uses include single-detached dwellings and Multiple-Family Dwellings. The approval of the requested variance is considered minor and will not set a precedent for the immediate area.

It is our opinion that the proposal meets the intent of the Official Plan, as the proposal will not result in any negative impacts to adjacent properties or to the neighbourhood.

## The general intent and purpose of the zoning by-law are maintained



The subject property is zoned One-Family Dwelling and Two-Family 'A' zone in the City of Kingston Zoning By-Law Number 8499, as amended (see Fig. 2). The uses permitted in the 'A' zone include one-family dwellings, two-family dwellings and various institutional uses such as libraries and churches. The existing single detached dwelling is a permitted use in the 'A' zone.

The proposed rear addition which is to accommodate a second residential unit is also a permitted use within the 'A' zone. In accordance with Provincial direction, all City Zoning By-laws were recently (2019) updated to reflect the permission of second residential units on properties that are currently developed with single detached dwellings. Further, the provincial direction more recently released through the 2020 Provincial Policy Statement (PPS) is more broadened and encourages further intensification within serviced urban settlement areas.

The proposal requires a minor variance to Section 6.3(g) – maximum permitted residential building depth and Section 5.45(xvi) – unobstructed pedestrian access aisle from front property line to proposed second residential unit. There are no other variances required to facilitate the proposed on-site development. The proposed second residential unit has been designed so that it considers all other applicable zoning provisions.

Variances:

Section	Required	Proposed	Relief requested
6.3(g)(ii) – maximum permitted residential building depth	16.25 metres	22.74 metres	6.49 metres
Access Aisle {Section 5.45(xvi)}	<p>The exterior entrance to a Second Residential Unit that is within a Principal Dwelling Unit (i.e. not a detached second residential unit), and is located at the side or rear of the Principal Dwelling Unit, shall be accessed by a minimum 1.2 metre wide unobstructed pathway provided from the front of the Principal Dwelling Unit building or the front lot line. For the purposes of this subsection, a “pathway” is defined as a hard surface treated path that is separately delineated from the driveway and provides pedestrian access. “Unobstructed” means no obstructions to a height of up to 2.3 metres. This provision shall not prevent the establishment of a gate to access the rear yard.</p>	<p>The use of a driveway shall be permitted to provide unobstructed access to an attached second residential unit where the driveway is not required to meet the parking requirements</p>	<p>The driveway shall provide both access for vehicles and pedestrians.</p>

It is our opinion that the proposed minor variances related to building depth and the unobstructed pedestrian access aisle maintains the general intent and purpose of the zoning by-law.

### The variance is minor in nature

The variances are considered minor as there will be no negative impacts on abutting properties or residential and/or uses or structures. Although the proposed development exceeds the building depth of the directly adjacent residential buildings located north and south of the subject property, the proposed residential building depth is not uncharacteristic for the block. Examples of building depths of other residential development located on the same block and within the vicinity of the subject property include:

<b>Subject Property (Civic Address)</b>	<b>Residential Building Depth (metres)</b>
<i>230 Frontenac St (subject property)</i>	<i>25.6 metres (proposed)</i>
186 Frontenac St	21.8 metres
206 Frontenac St	18.0 metres
216 Frontenac St	22.7 metres
278 Frontenac St	32.5 metres
280 Frontenac St	32.5 metres
213 Albert St	28.0 metres
221 Albert St	28.0 metres
375 Albert St	38.1 metres
151 Union St	24.5 metres
380 Earl St	22.5 metres
382 Earl St	22.5 metres



Table 2 – Example of residential building depths of properties near the subject property

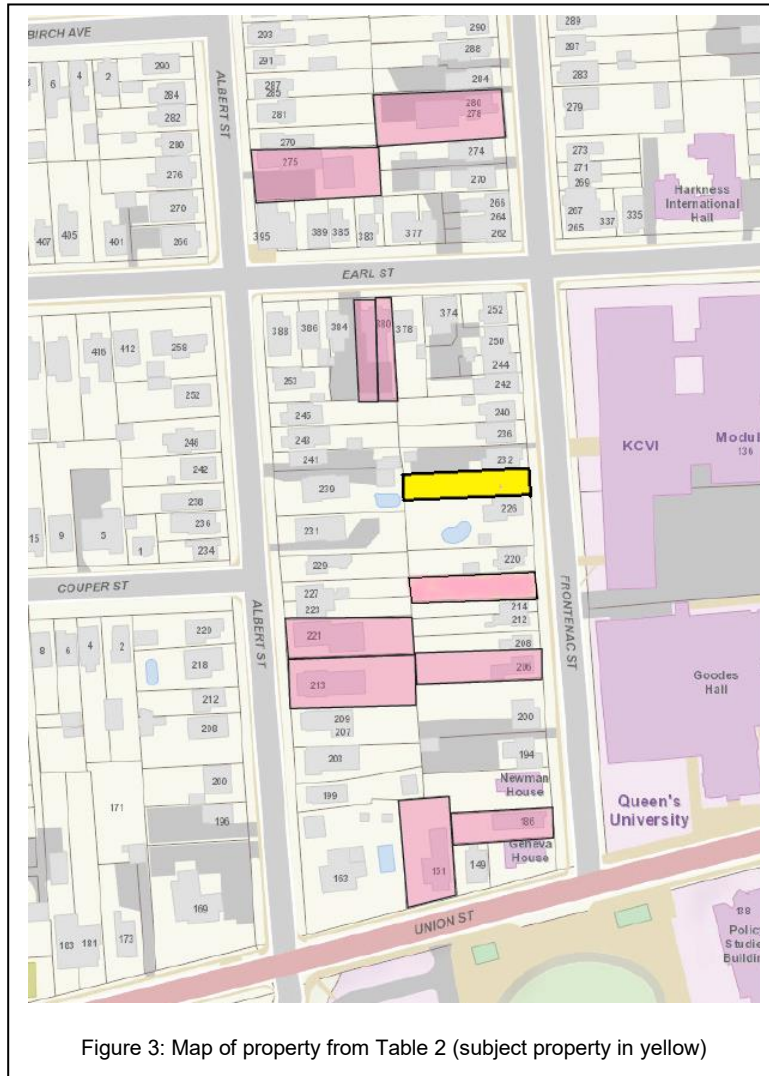


Figure 3: Map of property from Table 2 (subject property in yellow)

Based on Table 2 above, the proposed residential building depth of 25.6 metres is not uncharacteristic in comparison to other existing residential development located on the same city block and within the nearby vicinity. The range of building depths spans approximately 20 metres, ranging from 18 metres at 206 Frontenac Street to 38.1 metres for the residential development located at 375 Albert Street. Based on this review, it is our opinion that the proposed building depth of 25.6 metres is consistent with other development in the area and will not create intrusive overlook beyond the normal associated within urban residential core.

In addition to comparing the proposed building depth with that of other residential building depths that currently exist on other properties on the same block, an important consideration is the extent of the proposed building that extends beyond the rear wall of the adjacent residential building. As discussed above, the proposed second residential unit at 230 Frontenac Street is not

anticipated to create intrusive overlook or loss of privacy with respect to 226 Frontenac Street & 232 Frontenac Street, based on its careful design. The rear addition is proposed to extend approximately 11 metres beyond the rear wall of the adjacent structures. The residential development located at 221 Albert Street extends approximately 12 metres beyond the rear wall of the adjacent residential building - 223 Albert Street. Further, 280 Frontenac Street extends approximately 13 metres beyond the rear wall of the adjacent residential development located at 284 Frontenac Street. As such, the difference in built form (with respect to building depth) proposed at 230 Frontenac Street as it compares to the adjacent residential buildings are consistent with other existing situations on the same block.

The proposed second residential unit is two and a half storeys in height, consistent with the building height and massing of the existing single detached dwelling as well as other residential development in the immediate vicinity. The proposed variance, related to residential building depth is not anticipated to alter the character of the neighbourhood or the existing streetscape.

In addition to building depth, to facilitate the proposed second residential unit on the subject property, relief is required from Section 5.45(xvi) of Zoning By-law Number 8499, as amended which requires the second residential unit to be accessed by a minimum 1.2 metre wide unobstructed pathway provided from the front of the Principal Dwelling Unit building or the front lot line. Due to the location of the existing single family dwelling on the subject property, it is not possible to construct a second residential unit at the rear and provide a 1.2 metre wide unobstructed pedestrian access aisle in the southern interior side yard. As such, the proposal is to share the existing driveway which provides vehicular access to the rear yard on-site parking spaces with pedestrians. The proposed second residential unit will be setback a minimum of 3.0 metre from the northern interior lot line, and on-site signage will be placed which restricts residents from parking on the driveway thereby maintaining an unobstructed 3.0 metre wide side yard which may be used by pedestrians and vehicles. Therefore, pedestrians will be provided sufficient space to access either the proposed second residential unit or the existing principle dwelling unit from the on-site parking spaces or the street. As such, it is our opinion that the variance respecting unobstructed pedestrian access is minor in nature.

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

The proposed second residential unit will provide for additional housing options within the urban boundary. The proposed second residential unit is located within a Housing District, and the proposed scale, massing and form of the development is consistent with that of the existing single detached dwelling on the subject property as well as surrounding neighbourhood.

The proposed rear addition is two and a half storeys in height and in our opinion represents appropriate infill within an area that may accommodate additional housing options. As detailed above in the Official Plan section of this report, it is our opinion that the proposed development will not result in intrusive overlook with respect to the adjacent residential properties.

In review of the proposed development from a holistic perspective, the two variances requested are appropriate with respect to the proposed development and are desirable for the subject property. The proposed variance related to building depth is not deemed to alter the character of the neighbourhood or the existing streetscape. The proposed variance related to unobstructed pedestrian access to the proposed second residential unit is desirable given the driveway and its ability to function as shared space for pedestrians and vehicles.

### Conclusion

In conclusion, the requested building depth and unobstructed pedestrian access variances maintain the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499, as amended. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variance is minor in nature. Therefore, in our opinion, the proposed minor variance application meets all four tests under subsection 45(1) of the *Planning Act*, and represents good land use planning.

Sincerely,

ORIGINAL SIGNED BY JASON SANDS

Jason Sands, B.Sc. M.PI. MCIP. RPP

## **Oddie,Niall**

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**From:** Myers,Cheryl  
**Sent:** December 11, 2020 8:08 AM  
**To:** Oddie,Niall; Gregory,Katharine  
**Cc:** Planning Outside Email  
**Subject:** FW: Public Notice File Number D13-054-2020

Hi Niall,

This is an objection for file D13-054-2020 100 Clergy Street.

Thanks,  
Cheryl

**From:** Brennan Cruse <[REDACTED]>  
**Sent:** December 10, 2020 10:13 PM  
**To:** Planning Outside Email <Planning@cityofkingston.ca>  
**Subject:** Public Notice File Number D13-054-2020

To Whom it May Concern:

Re. Public Notice File Number D13-054-2020

We are writing to you regarding the above public notice. We live in the adjacent building at 100 Clergy Street East, and strongly object to the proposed enlarging of the existing rear dormer at 98 Clergy Street East.

The dormer does not conform to guidelines restricting dormer sizes on heritage buildings to the public view. Additionally, the developer of the townhome at 98 Clergy Street East removed doors and windows and gutted the interior of the row house without a permit. As residents of the adjacent building, our unit suffered extensive damage, for which this developer took no responsibility. This is especially disappointing since our building is designated as Part IV protected under the Ontario Heritage Act, and should have been free from this reckless disregard. We were inconvenienced for many months with illegal construction taking place next door. Any developer who thinks it's acceptable to undergo a construction project as large as this without obtaining the appropriate legal permissions should absolutely not be granted approval for any additional expansion. The guidelines are pretty clear, and this developer obviously feels they are exempt from following the rules. As well, their work crew wilfully disregarded city noise bylaws as they relate to hours of construction, frequently working as late as 9 p.m. in the evening and on Sundays.

It is our strong opinion that this project should not be approved.

If you would like to discuss further, you may reach us at [REDACTED].

Thank you in advance.

Sincerely,

Brennan Cruse and Mikayla Erdelsky



December 13, 2020

Ms. Donna Lounsbury  
226 Frontenac Street  
Kingston, Ontario  
Email: [REDACTED]

Re: Planning Opinion  
Application for Minor Variance  
230 Frontenac Street, Kingston  
CCS Project No. 4663

Dear Ms. Lounsbury:

This letter has been prepared to provide a professional opinion on the Application for a Minor Variance to allow the establishment of a second detached residential unit on the property identified as 230 Frontenac Street in Kingston. This letter has been prepared based on a thorough review of the application, the supporting documentation, the relevant planning documents and the staff reports prepared for the Committee of Adjustment. This letter was prepared on the understanding that you would submit this opinion letter to the Committee of Adjustment and by this statement I authorize that submission.

The proposed residential unit would be an addition to the existing single-family dwelling. The existing residence has a gross floor area of 215 square meters and a footprint of 100 square meters. The proposed dwelling would have a gross floor area of 190 square meters and a footprint of 67 square meters. The parking for the existing dwelling is located in the northern interior side yard however, this interior side yard is required to provide pedestrian access to the dwelling located behind the existing dwelling. The interior side yard is only 3.02 meters in width and cannot accommodate both the 2 parking spaces required and the pedestrian access. The proposal is to extend the driveway to the rear yard and locate the required 2 parking spaces in the rear yard. This will provide the unobstructed pedestrian access to the proposed dwelling.

Residents in the neighbourhood have raised the following concerns:

- The proposed dwelling substantially extends into the rear yard of not only the existing residence but also of the neighbouring dwellings
- The extension deviates dramatically from the zoning permission for Second Residential Units
- The provision of parking in the rear yard introduces site modifications, removes the green space and is not compatible with the green space and use of adjacent rear yards.

- The design includes 5 bedrooms which suggests the ultimate residents will be students and although planning does not regulate occupants, the implication of student housing raises concerns with the adequacy of parking, the level of maintenance and potential of disruptive activities on site.

The application before the Committee of Adjustment requests three variances, namely:

Variance Number 1:

By-Law Number 8499: 6.3(g)(ii)(1)(a) Maximum Permitted Building Depth

Requirement: 17.7 metres

Proposed: 25.6 metres

Variance Requested: Increase the Building Depth by 7.9 metres

Variance Number 2:

By-Law Number 8499: 5.45(xvi)

Requirement: A minimum 1.2-metre-wide unobstructed pathway provided from the front of the Principal Dwelling Unit building or the front lot line

Proposed: Reduce the width of the unobstructed pathway next to a driveway where parking is not permitted from 1.2 metres to 0.5 metre

Variance Requested: Reduce the width of the unobstructed pathway next to a driveway where parking is not permitted by 0.7 metre

Variance Number 3:

By-Law Number 8499: 5.3.B(k)

Requirement: In a residential zone, the minimum width of a driveway shall be 3.0 metres

Proposed: Reduce the width of the driveway from 3.0 metres to 2.5 metres

Variance Requested: Reduce the width of the driveway by 0.5 metre

Tests for minor variance

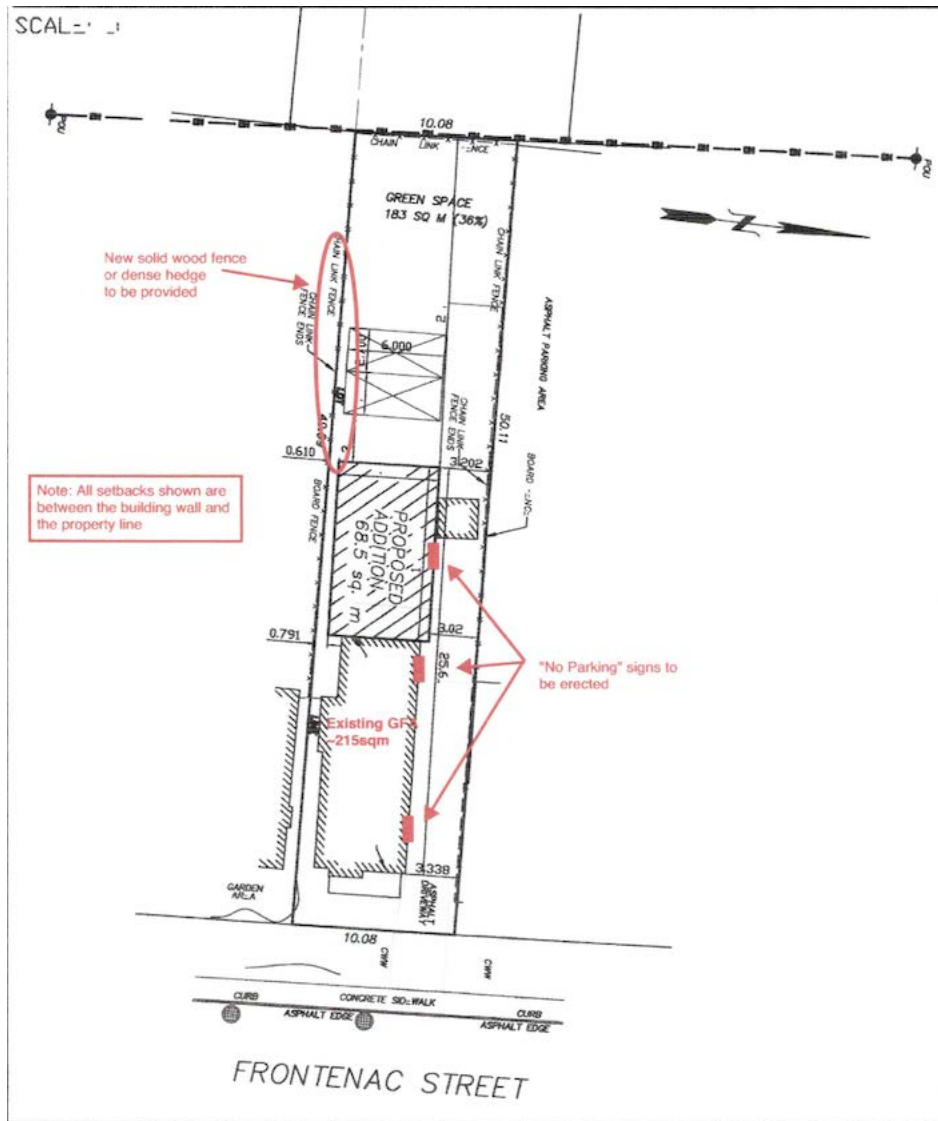
The Planning Act sets out four tests to be considered in the evaluation of a Minor Variance. The following is our review of these tests:

Is the variance desirable for the appropriate development or use of the land, building or structure or use thereof?

In addition to the location of the parking in the rear yard which eliminates an area reserved for open space and vegetation on most residential lots in the immediate area, the parking design presented in the site plan does not allow sufficient space for the maneuvering of vehicles to access the parking spaces. Standard design requires at least a 5 meter lane way to allow vehicles to



maneuver into and out of the parking spaces. The lot is not sufficiently wide enough to accommodate this width. In addition, there will need to be space available for snow storage during winter use. It is our opinion that the necessary redesign will use most of the rear yard to accommodate the parking proposed. This raises concerns for the potential removal of not only grassed area but also existing trees. This substantially changes a green space and its benefits to a gravel or paved area with implications for local drainage. There is also concern that although the two parking spaces meets the zone requirement, additional parking will be required due to the nature of the anticipated uses in both the existing and proposed residential dwellings.



Site Plan submitted with the application



The second residential unit extends well beyond the other residential units on either side of the lot. This introduces a built form into an area reserved for open space and although provision has been made for window location to avoid concerns with overview of the rear yards of the adjoining residential lots, the built form is intrusive.

I conclude that the proposed development is not desirable for the appropriate development of the lands.

#### Does the Minor Variance comply with the general intent and purpose of the Official Plan

The site is designated residential Schedule 3-A of the Official Plan. The establishment of the Second Residential Unit is justified as intensification. Intensification is defined in the Official Plan as “the development of underutilized lots within previously developed areas and the expansion or conversion of existing buildings”. A Second Residential Unit is defined as “A dwelling unit which is ancillary to a principle residential unit, and is located on the same lot therewith.”

Section 2.2.5 identifies Housing Districts as stable areas. Minor infilling and minor development is encouraged provided it can integrate compatibly with “the prevailing built form standards of height, density and amenity that are generally found in the neighbourhood.”

Section 2.3.2 describes the City’s intension to increase the overall net residential density through compatible and complementary intensification through the implementation of area specific policy directives tied to Secondary Planning Areas. The subject lands are identified in Area No. 13 “Near Campus Neighbourhoods”. This is a future planning study area.

The subject lands are located in a residential area which is described as Stable and although the area does not achieve the Minimum Residential density of 22 dwelling units per net hectare as established in Section 2.4.4.a. Section 2.3.2 indicates that the method of intensification is to be determined through a secondary planning process which will involve a review of the area and development of a strategy that is specific to the area and has the benefit of area specific review.

Section 2.6 describes policy for protecting Stable Areas. Section 2.2.5 describes areas designated as residential as stable areas and Section 2.6.2 describes Stable areas as fulfilling their intended function and have the following neighbourhood characteristics

- a. a well-established land use pattern in terms of density, type of use(s) and activity level;
- b. a common or cohesive architectural and streetscape character, in terms of massing and built form, architectural expression, age of building stock, and street cross-section;
- c. a stable pattern of land ownership or tenure;





d. a consistent standard of property maintenance with relatively little vacancy in land or building occupancy

Based on the review of the documentation submitted with this application the area meets these criteria and can be described as a Stable area.

On this basis Section 2.6.3 directs that Stable areas will be protected from development that is not intended by this Plan and is not compatible with built heritage resources or with the prevailing pattern of development in terms of density, activity level, built form or type of use. The following types of intensification are generally considered appropriate within stable areas:

a. infill development that is limited and designed to complement the area's existing built form, architectural and streetscape character, and level of activity;

b. on lands designated Residential, intensification through the development of second residential units that is undertaken in accordance with Section 3.3.11 is considered to be compatible with stable areas;

c. on lands designated Residential, intensification through conversion within the existing building envelope provided it is demonstrated the conversion is compatible with existing development taking into account the policies of Section 2.7; and

d. Intensification that requires a zoning by-law amendment or minor variance in support of factors that may affect the intensity of uses (e.g., density, building height, reduction in parking and/or amenity areas, etc.) provided it can be demonstrated that the proposal will:

- complement existing use in the area
- support a transition in density and built form;
- support active transportation and public transit; and
- be compatible with existing development taking into account the policies of Section 2.7 of this Plan.

Section 2.6.5 directs that development that proposes to intensify the area should avoid destabilization which includes:

b. how the proposal maintains or enhances the planned function and land use pattern of the area

c. Its impact on neighbourhood character, including, but not limited to how it protects the character of buildings and streetscapes to provide for an orderly transition, as well as preservation or enhancement of landscaping;

d. the precedent of change to the area in terms of land use, built form/massing, architectural expression, landscaping, with an understanding that new construction does not in-and-of itself represent a positive precedent;

e. its compatibility with abutting and surrounding land uses, and the ability to mitigate any undue adverse effects through measures such as building separation, massing transition and privacy screening;



Section 2.7 sets out Land Use Compatibility Principles. Section 2.7.3 The land use compatibility matters to be considered include, but are not limited to:

- b. loss of privacy due to intrusive overlook;
- h. reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting;
- k. architectural incompatibility in terms of scale, style, massing and colour;

As outlined in the review of the appropriateness of the proposed development it is my opinion that the proposed development fails to meet these criteria particularly in terms of enjoyment of the subject property and adjacent properties as well as failure to meet compatibility considerations in terms of impact on privacy, enjoyment of property and incompatibility due to style and massing.

Section 3.3 outlines policies of Residential Uses. Section 3.3.7 provides policy for Infill and requires that within existing stable residential areas, applications for infill must be located and organized to fit with neighboring properties, including cultural heritage resources, and must satisfactorily address the following criteria:

- b. demonstrated suitability of dwelling type, lot size, building height and massing, building materials, and exterior design and
- c. demonstrating ability to achieve compatible use and development of the property taking into account that policies of Section 2.7

As outlined above the proposal fails to achieve these criteria.

Section 3.3.11 provide policy for Second Residential Units. These units are defined as “Second residential units shall be located within single detached dwellings, semi-detached dwellings, linked and row house, as well as accessory buildings where a second residential unit does not already exist in the primary detached ...dwelling”. These units are not limited by density control requirements, as defined in an implementing zoning by-law. I also note that Section 3.3.D.3 directs that new or redeveloped residential uses intended as off-campus housing must be designed and built to be viable for a wider housing market. The City may therefore restrict density by limited the number of bedrooms or habitable rooms per residential unit through the zoning by-law. There is no indication that this consideration has been addressed.

Based on the above review it is my opinion that the proposed minor variances and the development permitted by these variances does not comply with the intent of the Official Plan. Particular concerns are the policies to maintain stable residential neighbourhoods and the criteria for intensification and infill.



Do the Minor Variances Maintain the General intent and purpose of the Zoning By-law?

The lands are located in a One-Family and Two-Family Zone “A”. The submissions in support of the application provide a thorough review of the site compliance to the zone provisions. The variances sought relate to:

Maximum Building Depth (Section 6.3 (g)(ii)(1). This provision allows a building to extend to the average depth of buildings on adjacent properties. The existing building depths are:

- 232 Frontenac – 18.0 m
- 230 Frontenac – 14.6 m
- 226 Frontenac – 17.4 m

The average building depth for the adjacent properties is 17.7 m. This would allow an extension of 3.1 m. from the existing building. The requested extension is 25.6 m. The variance requested is 7.9 m. and allows the construction of a second residential unit in the rear yard.

This is a significant variance and if approved it can also provide an opportunity for adjacent properties based on the use of this expanded building depth as illustrated in the following sketch:



The extension of the Building Depth is illustrated in red. If approved and if used in the determination of the potential expansion of adjacent properties, the additional Building Depths it would allow are also illustrated in red. The building extension permitted at 216 Frontenac is illustrated in green and it is noted that the variance requested at 230 Frontenac has implications at 220, 226 232 and 236 Frontenac based on the application of the zone provision 6.3(g)(ii)(1).

Our conclusion is that the application of the average building depth as a zoning provision was intended to provide a means of ensuring a uniform basis for allowing building extensions that would not dramatically alter the building extension or would moderate the extension of adjacent properties. The requested variance substantially changes the building depth of the existing property and would allow several additional building extensions.

It is noted that the zoning by-law includes a limit on the size of parking areas in the rear yard. The proposed parking area meets this requirement but would not permit a third parking space. As noted above, additional parking based on the proposed size and number of bedrooms is likely.

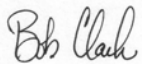
On this basis it is my opinion that the variance does not meet the test of complying with the intent of the zoning by-law.

Is the variance minor?

Based on the above review it is my opinion that the variance for building extension is not minor but allows a significant building extension not only for the proposed lot but also for adjacent lots which changes the building depths which would apply to adjacent lots. The reduction in driveway width and pedestrian pathway width may be considered minor except that they require the location of parking in the rear yard which, as noted above, removes areas devoted to green space.

My conclusion is that the requested variances do not meet the tests outlined in the Planning Act and therefore should be denied.

Sincerely,



Bob Clark, *P.Eng., P.Ag., MCIP, RPP, OLE*  
Principal Planner

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## Oddie,Niall

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**From:** Paul Purves [REDACTED] >  
**Sent:** December 13, 2020 3:44 PM  
**To:** Oddie,Niall  
**Subject:** Re: D13-054-2020 - 98 Clergy Street East - Letter of Opposition

If you can call my cell I would appreciate it. [REDACTED]

I have prepared a reply to this letter please see

Hi Niall,  
This is an objection for file D13-054-2020 100 Clergy Street.  
Thanks,  
Cheryl  
From: Brennan Cruse < >  
Sent: December 10, 2020 10:13 PM  
To: Planning Outside Email <Planning@cityofkingston.ca>  
Subject: Public Notice File Number D13-054-2020  
To Whom it May Concern:  
Re. Public Notice File Number D13-054-2020

We are writing to you regarding the above public notice. We live in the adjacent building at 100 Clergy Street East, and strongly object to the proposed enlarging of the existing rear dormer at 98 Clergy Street East. The dormer does not conform to guidelines restricting dormer sizes on heritage buildings to the public view. ( This has been approved by City Council with regards to Heritage guidelines.)

Additionally, the developer of the townhome at 98 Clergy Street East removed doors and windows and gutted the interior of the row house without a permit. ( During the early stages of the process we had multiple site visits with our engineer and design team to determine what was required to restore this property . In order to make these determinations it was necessary to complete some demolition to drywall and interior finishes. ( It was discovered that there were significant mechanical and structural deficiencies which if not addressed presented significant health risks) ) There was no intent at anytime to circumvent the permitting process. With the guidance of the engineer, plumber , electrician, planning, and building department we devised and plan to restore this building while maintaining heritage attributes. All windows and doors were rebuilt out of wood using mortise and tenon construction. )

As residents of the adjacent building, our unit suffered extensive damage, for which this developer took no responsibility. This is especially disappointing since our building is designated as Part IV protected under the Ontario Heritage Act, and should have been free from this reckless disregard. ( No one has informed us or the building inspector of any damages.) (We have had multiple site visits from various agencies and none of these has resulted in any orders being directed to the project. We have always done our best to minimize any inconvenience to neighbors.)

We were inconvenienced for many months with illegal construction taking place next door. Any developer who thinks it's acceptable to undergo a construction project as large as this without obtaining the appropriate legal permissions should absolutely not be granted approval for any additional expansion. The guidelines are pretty clear, and this developer obviously feels they are exempt from following the rules. As well, their work crew wilfully disregarded city noise bylaws as they relate to hours of construction, frequently working as late as 9 p.m. in the evening and on Sundays. ( We have made our best attempts to address any concerns ( No one has informed us, the building inspector, the by-law officer of any damages.) (We have had multiple site visits from various agencies and none of these has resulted in any orders being directed to the project. We have always done our best to minimize any inconvenience to neighbors and will continue to do so.)

With buildings of this vintage the process is long and complex; we are entering the final phase of the refurbishing of this Heritage building and hope to be completed soon.

It is our strong opinion that this project should not be approved. If you would like to discuss further, you may reach us at Thank you in advance.

Sincerely,

Brennan Cruse and Mikayla Erdelsky

### In addition to all the challenges we faced with this project we had the added complications of doing it while dealing with Covid

The reconstruction of the existing dormer is to improve quality of living space that is in line with today's standards as opposed to those of 1880, while maintaining the heritage attributes.

Paul Purves

Dec/13/2020

Paul Purves

NCP Homes  
1045 John Counter Blvd  
Kingston, Ont.  
K7K 6C7  
ph: [REDACTED]  
Email: [REDACTED]

On Friday 11/12/2020 at 5:15 pm, "Oddie,Niall" wrote:

Hi Paul,

Please see the attached comments that have been received on the above noted application. These comments will be provided to the Committee ahead of the meeting on Monday evening.

If you have any questions, we can arrange a time to discuss on Monday.

Thanks,  
Niall

**Niall Oddie** MCIP, RPP, M.PI  
Planner  
Planning Services

[  
Image  
]

City of Kingston  
Located at: 1211 John Counter Blvd  
216 Ontario Street, Kingston, ON K7L 2Z3  
**Office:** 613-546-4291 **Ext.** 3259  
**Email:** [noddie@cityofkingston.ca](mailto:noddie@cityofkingston.ca)

**From:**Joan Bowie  
**Sent:**Monday, December 14, 2020 12:37 PM  
**To:**Thompson,James <jcthompson@cityofkingston.ca>  
**Subject:**COA File Number: D13-039-2020

Re: File Number: D13-039-2020  
Application for Minor Variance

230 Frontenac Street, Kingston

I object to this application for a minor variance.

I note that this application comes with a “Council Strategic Plan Alignment: Theme: 2. Increase housing affordability “

Unless conditions are put on this application, I do not understand how it will “increase housing affordability.” This “secondary suite’ will not be affordable for anyone other than 5-6 students renting at more than \$900/bedroom. This is, in effect, zoning people which is not acceptable. No senior looking for an affordable unit could live here. No single mother with a couple of children could afford this unit. However, this committee could apply a condition that the second unit is offered at 60% of local median rent which would make it affordable according to the Recommendations to Increase Kingston’s Housing Supply for

All [https://www.cityofkingston.ca/documents/10180/0/City-Council\\_Meeting-10-2020\\_Report-20-082\\_Transmittal-of-Mayors-Task-Force-on-Housing.pdf/11ae8847-588e-c133-251c-0d6005602e15?t=1582817152123](https://www.cityofkingston.ca/documents/10180/0/City-Council_Meeting-10-2020_Report-20-082_Transmittal-of-Mayors-Task-Force-on-Housing.pdf/11ae8847-588e-c133-251c-0d6005602e15?t=1582817152123)

This proposed development is not a “gentle change”. It will not contribute to stability of the area. It does not follow the intent of the OP. The addition of 5-6 bedrooms will increase the property value of this lot by 500-600 thousand dollars which has a ripple effect on house prices in the area which results in fewer people able to own their own home. Limiting the number of bedrooms to two is an option that could be applied to this application. This option would not distort property values. This is a case where fewer bedrooms would lead to a more affordable unit that could be occupied by a variety of tenants including students.



As we are all aware Zoning By-law 8499 is being updated. The recent information report to Council dated Nov 20, 2020 addresses residential density which may in the near future be measured by the number of bedrooms, not the number of units.

The proposed Secondary Suite, that is almost the same number of square meters as the original does not meet the definition of a minor variance. Relief is requested from the current zoning by-law which was put in place in the 1990s so that large additions to student houses would not overwhelm the neighbours. The objective was to stop additions like this proposal. It was an attempt to hold on to mixed neighbourhoods and it is still very applicable today.

I urge you to reject this current proposal. Its bulk will be overwhelming, its occupancy will decrease neighbourhood stability, and it does not follow Council's Strategic plan to increase affordability.

Joan Bowie

414 Albert St

Kingston