

City of Kingston Report to Committee of Adjustment Report Number COA-22-018

To: Chair and Members of the Committee of Adjustment

From: Ian Clendening, Senior Planner

Date of Meeting: January 17, 2022

Application for: Minor Variance & Interpretation of Use

File Number: D13-073-2021

Address: 1025 Innovation Drive

Owner: The Corporation Of The City Of Kingston

Applicant: FOTENN Planning + Design

Council Strategic Plan Alignment:

Theme: 5. Foster healthy citizens and vibrant spaces

Goal: 4.2 Foster Innovative arts, culture and social enterprises

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variances for the property located at 1025 Innovation Drive. The applicant is proposing a recreation facility consisting of a 'clubhouse' building; and two air-supported structures intended to accommodate six tennis courts in one and 18 pickleball courts in the other. In order to accommodate the proposed development, the Committee is being asked to confirm that the proposed use conforms with the uses permitted in the by-law pursuant to Section 45(2)(b) of the *Planning Act*; together with a request for relief from certain provisions of the Zoning By-Law including: an increase in height; a reduction/increase in the distance between buildings; a reduction in the size and number of parking stalls pursuant to Section 45(1) of the *Planning Act*.

The subject property is currently undeveloped located at the south-east corner of Innovation Drive and Machin Park Lane and forms a part of the St. Lawrence Business Park Subdivision. The site has an area of approximately 1.62 hectares and has approximately 130.0 metres of

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frontage on Innovation Drive and approximately 125.3 metres of frontage on Machin Park Lane. The surrounding area is characterized by recently established business park industrial development and open space areas, with an express transit stop (602) located approximately 250 metres to the west of the property. The property is designated Business Park Industrial in the Rideau Community Secondary Plan of the City of Kingston Official Plan, and is Zoned Business Park Exception One (BP-1) in Zoning By-Law Number 32-74.

In addition to the Committee's powers to permit 'minor variances' to a Zoning By-Law set out in Section 45(1) of the *Planning Act*, Section 45(2)(b) provides that, "where the uses of land, buildings or structures permitted in the by-law are defined in general terms, may permit the use of any land, building or structure for any purpose that, in the opinion of the committee, conforms with the uses permitted in the by-law." The BP-1 Zoning permits a "Public Recreation Facility", a term that does not appear anywhere else in the Zoning By-Law, whereas the applicant proposes to develop a "private" recreation facility. Unlike s. 45(1), there is no four part test set out in Section 45(2)(b). The section merely states that if the uses permitted in the governing by-law are defined in general terms, additional uses may be permitted as long as the Committee is of the opinion they conform with the uses permitted. The use proposed conforms with the uses permitted in the Zoning By-Law and represents good planning.

The requested minor variances are consistent with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 32-74. The requested minor variances are desirable for the appropriate development or use of the land, building or structure and are minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval.

Variance Number 1: Reduction in Required Parking

By-Law Number 32-74: Section 21A(3)(a)(iii)(b)

Requirement: 5.0 per 100 square metres of Gross Floor Area, or 1 stall per 7 fixed seats (every 0.5 metres of bench seating equals a fixed seat) whichever is greater. [Resulting in 322 Parking Stalls]

Proposed: 1.77 per 100 square metres of Gross Floor Area [Resulting in 114 Parking Stalls] Variance Requested: 3.23 per 100square metres of Gross Floor Area [Reduction of 208 Parking Stalls]

Variance Number 2: Reduction in Required Parking Dimensions

By-Law Number 32-74: Section 5(14)(a)

Requirement: 2.75 metres in width Proposed: 2.7 metres in width Variance Requested: .05 metres

Variance Number 3: Increase in Height By-Law Number 32-74: Section 21A(2)(i)

Requirement: A maximum of 12 metres or 2 storeys, whichever is the lesser

Proposed: 14 metres

Variance Requested: 2 metres

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Variance Number 4: Distance Between Buildings on a Lot

By-Law Number 32-74: Section 21A(2)(j)

Requirement: [. . .] the distance between buildings shall be equal to the average height of the buildings concerned, but in no case shall the distance between buildings be less than 6 metres. [Resulting in distances of 11 metres (Clubhouse-Tennis); 13.1 metres (Tennis-Multi-Use); and 10.1 metres (Clubhouse-Multi-Use)].

Proposed: 3.1 metres (Clubhouse-Tennis); 14.2 metres (Tennis-Multi-Use); and 13.9 metres (Clubhouse-Multi-Use)

Variance Requested: -7.9 metres (Clubhouse-Tennis); +1.1 metres (Tennis-Multi-Use); and +3.8 metres (Clubhouse-Multi-Use).

Recommendation:

That the application for interpretation of use, File Number D13-073-2021, for the property located at 1025 Innovation Drive to further define the 'public recreation facility' in the Business Park Exception One (BP-1) Zone to include a 'private recreation facility', be approved; and,

That minor variance application, File Number D13-073-2021, for the property located at 1025 Innovation Drive to permit a reduction in parking requirements, an increase in height and a deviation in the distance between buildings, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-22-018.

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Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER

Ian Clendening, Senior Planner

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

Tim Park, Director, Planning Services James Bar, Manager, Development Approvals

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Options/Discussion:

On November 26, 2021, a minor variance application was submitted by Kody Kazda, on behalf of the owner, The City Of Kingston, with respect to the property located at 1025 Innovation Drive. The variances are requested to permit the use of the property as a "private" recreational facility whereas the Zoning By-Law permits a "public recreation facility"; and, to permit a reduction in the number of parking stalls, and the width of the stalls; and further, to permit an increase in the permitted height of the buildings which, in part, consist of two air supported structures and their placement closer/further from one another than otherwise permitted.

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

- Concept Plan;
- Conceptual Floor Plans;
- Conceptual Elevations;
- · Grading and Servicing Plan;
- Stormwater Management Plan;
- Tree Inventory; and
- Site Plan (Exhibit G)

All submission materials are available online through the Development and Services Hub (DASH) at the following link, <u>DASH</u>, using "Look-up a Specific Address". If there are multiple addresses, search one address at a time, or submission materials may also be found by searching the file number.

Site Characteristics

The subject property is located on Innovation Drive within the St. Lawrence Business Park and is situated approximately 680 metres east of the intersection with Highway 15 which separates the residential subdivisions to the west with the commercial and business park development to the east. The City of Kingston's John Machin Soccer Park is located immediately south while lands designated Environmental Protection Area are located further west.

The site has an area of approximately 1.62 hectares and has approximately 130.0 metres of frontage on Innovation Drive and approximately 125.3 metres of frontage on Machin Park Lane. The surrounding area is characterized by recently established business park industrial development and open space areas including the John Machin Soccer Park to the south. Full municipal water and wastewater services exist at this location and an express transit stop (602) is located approximately 250 metres to the west of the property. The property is designated Business Park Industrial in the Rideau Community Secondary Plan of the City of Kingston Official Plan and is Zoned Business Park Exception One (BP-1) in Zoning By-Law Number 32-74.

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Application (Permission)

As stated in Subsection 45(2)(b) of the *Planning Act*, that in addition to the powers of the Committee of Adjustment under subsection 45(1), the Committee, upon any such application, where the uses of land, buildings or structures permitted in the by-law are defined in general terms, may permit the use of any land, building or structure for any purpose that, in the opinion of the committee, conforms with the uses permitted in the by-law.

In determining whether to permit a use under Section 45(2)(b), the test is not one of reasonableness; rather, the test is established by the statutory criteria of:

- 1) Whether the proposed use conforms to the uses permitted
- 2) Whether the proposed use represents good land use planning

As set out in the wording of the *Planning Act*, an application under 45(2)(b), may be made where the "uses of land [. . .] are defined in general terms". Section 21A(1) establishes "a public recreation facility" as a permitted use within the Business Park (BP) Zone; however this use is not defined in the Zoning By-Law but suggests recreation facility operated by a public entity or simply open to the general public. Under the principles of statutory interpretation, where a word or phrase is not defined, the ordinary or plain use of the language would apply. Given this broad definition under the plain use of the phrase, the "public recreation facility" permitted in the Zoning By-Law is defined generally, and the Committee is empowered under Section 45(2)(b) to adjudicate whether a proposed use "conforms with the uses permitted."

Whether the proposed use conforms to the uses permitted:

The proposed privately run recreation facility would not operate differently in any substantive way from that of a public recreation facility both in terms of time-of-use, and the amount of traffic generated. Similarly, the differentiation between a public and private recreation facility does not result in any difference in built form. With little to no differentiation between a public and private recreation facility, Staff believe the private recreation facility conforms to that of a public recreation facility.

Whether the proposed use represents good land use planning:

The proposed facility fits into both the surrounding Business Park uses as well as the recreational facilities immediately south. There is no anticipated negative impact as a result of the proposed use and would provide a valuable community amenity.

Application (Minor Variance)

The review of an application for minor variance(s) is not a simple mathematical calculation, but rather a detailed assessment of whether the variance(s) requested, both separately and together, meet the four tests of a minor variance outlined in Subsection 45(1) of the *Planning Act*. The following provides this review:

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Provincial Policy Statement

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

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

The subject property is designated Business Park Industrial in the Rideau Community Secondary Plan of the City of Kingston Official Plan.

In considering whether this proposed variance is desirable, the Committee of Adjustment will have regard to the nine requirements included in Section 9.5.19 of the Official Plan. The following provides these nine requirements and an assessment of how the proposal is consistent with each.

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

The Strategic Policy Direction of the Official plan directs that most growth to occur within the Urban Boudnary where development will be directed to achieve greater sustainability through, among other things, encouraging a mix of land uses that provide for employment, education, personal service and convenience retail in close proximity to residential land uses, subject to compatibility matters as outlined. The proposed recreational facility will compliment the existing amenitieis in the area and would service both the local Rideau Community as well as the broader Kingston Area.

Consistent with the Strategic Policy Direction and the Goals of the Rideau Community Secondary Plan, the proposed development is compatible with the existing and proposed adjacent developments which consist largely of business park development and open space and community recreation amenities.

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

The proposed development would be located immediately north of the existing City of Kingston's John Machin Soccer Park to the west of the subject property is a water tower while to the north and east are lands awaiting development. The reduction in parking requirements and increase in height and deviations in the required setbacks between buildings would not have an adverse impact or detract from the surrounding Business Park Uses which continue to develop in the area.

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 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 reduction in parking from 5 stalls per 100 square metres of Gross Floor Area to 1.77 stalls per 100 square metres of Gross Floor Area would not have a negative impact on the functionality of the site's parking. The stalls required under the Zoning Bylaw is 322 stalls while the applicant proposes 114 stalls. The variance sought reflects the extent to which the proposed activities (i.e., Tennis & Pickleball) are space intensive. Viewed another way, the proposed 114 parking stalls would accommodate 6.3 parking stalls for each of the 18 courts (i.e., 6 tennis & 12 pickleball) whereas the existing zoning would require 17.8 stalls per court.

Accessible Parking is provided on-site, and further accessibility considerations would be implemented through Site Plan Approval.

- The conformity of the proposal to any applicable urban design policies endorsed by Council, particularly if the site includes or could impact a built heritage resource or is within a Heritage District;
 - The subject property is not located within a heritage district or adjacent to any designated properties under the *Ontario Heritage Act*. The proposed air supported structure are consistent with the built form expected of a recreational amenity and would complement the visual coherency of the open soccer pitches to the south of the subject lands.
- 5. If the site is designated under the *Ontario Heritage Act*, the application shall be reviewed by Heritage Kingston for approval. If the property is adjacent to a designated property under the *Ontario Heritage Act* or shown as a Heritage Area feature, or is affected by the protected views shown on Schedule 9 of this Plan, then a Heritage Impact Statement may be required to assist staff to determine if the resulting development is desirable;
 - The subject property is not protected under the *Ontario Heritage Act* and is not affected by the protected views shown on Schedule 9 of the Official Plan. The site has been cleared of Archaeological potential based on a previous study prepared by Adams Heritage which was approved by the Ministry of Heritage, Sport, Tourism and Culture Industries.
- 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 serviced with full municipal water and sewage services and proposes to maintain the current services. Utilities Kingston and Hydro Kingston reviewed the application and have no comments. Any new sewage or hydro service will be addressed through the Building Permit application process.
- 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;

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The proposed variances to the performance standards meets the four tests of a Minor Variance as outlined in the *Planning Act*, and described herein and therefore does not require a Zoning By-Law Amendment.

8. The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a minor variance including any reasonable requirements, recommendations of City departments, or the submission of studies as listed in Section 9.12 of this Plan that may be required to properly evaluate the application;

Recommended conditions are included in Exhibit A to this report.

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

The proposal is in keeping and compatible with the existing development in the surrounding area and will not set an undesirable precedent.

The proposal meets the intent of the Official Plan, as the proposed recreational facility as designed will not result in any negative impacts to adjacent properties or to the neighbourhood.

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

The subject property is zoned Business Park Exception 1 (BP-1) in the City of Kingston Zoning By-Law Number 32-74 as amended (Exhibit F – Zone). Both the Business Park (BP) and the Business Park Exception 1 (BP-1) were created unique to the St. Lawrence Business Park which is located within the Rideau Community Secondary Plan Area. The Zoning contemplates a variety of manufacturing, assembly, and warehouse development as well as other service activities such as restaurants; veterinary establishment; and business offices, with the regulations establishing a built form limited to two stories, or six stories for office and hotel uses. In addition to the limit on the number of stories, height limits are further reinforced with numeric limits of 12 and, in the case of office and hotel uses, 25 metres. The relatively larger height permitted for a two-storey structure is intended to accommodate the manufacturing warehousing and other such uses permitted within the zone which require high ceiling heights for their operation.

Provisions related to setbacks between buildings are intended to crate a built form in which properties can be distinguished as being separate from one another by having the buildings one each property locate in close proximity without being too close to one another. Similarly, provisions related to parking are based on typical standards for the category of use which, in the case of a "recreational facility" is determined as the greater of 5 stalls per 100 square metres of gross floor area or 1 stall per 7 fixed seats.

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Variance Number 1: Reduction in Required Parking By-Law Number 32-74: Section 21A(3)(a)(iii)(b)

Requirement: 5.0 per 100 square metres of Gross Floor Area, or 1 stall per 7

fixed seats (every 0.5 metres of bench seating equals a fixed seat) whichever is greater. [Resulting in 322 Parking Stalls]

Proposed: 1.77 per 100 square metres of Gross Floor Area [Resulting in

114 Parking Stalls]

Variance Requested: 3.23 per 100 square metres of Gross Floor Area [Reduction of

208 Parking Stalls]

Based on the formula set out in Section 21A(3)(a)(iii)(b), a total of 322 parking stalls are required which is determined based on the proposed Gross Floor Area of 6,437 square metres. The proposed reduction to 114 parking stalls represents a requirement of 1.77 stalls per per 100 square metres of Gross Floor Area. As referenced above, this represents 6.3 parking stalls for each of the 18 courts; whereas the zoning requirement for a 'recreational facility' would result in a requirement of 17.8 stalls for each of the 18 courts.

The proposed 114 parking stalls, or 6.3 stalls per court, should accommodate the parking demand for the specific use inclusive of the parking required due to the changeover of time slots for facility use. Further, given the proposed use, as well as its relative proximity to the nearby residential areas, it is reasonable to assume that some portion of the users would either carpool, walk, or take transit to the facility.

Accordingly, the intent of the Zoning By-Law to have an appropriate amount of parking would be maintained as a result of the parking reduction.

Variance Number 2 Reduction in Required Parking Dimensions

By-Law Number 32-74: Section 5(14)(a)
Requirement: 2.75 metres in width
Proposed: 2.7 metres in width

Variance Requested: 0.05 metres

The Zoning By-Law requires parking stalls measuring 2.75 metres in width to ensure that parking conflicts are minimized. The proposed reduction of 0.05 metres, or 2 inches, would not significantly impact this intent. It is worth mentioning that the proposed length of each stall is increased over the minimum required being 6.0 metres versus the 5.2 metres required under the By-Law.

Accordingly, the intent of the Zoning By-Law to reduce parking conflicts would be maintained as a result of the parking reduction.

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Variance Number 3: Increase in Height By-Law Number 32-74: Section 21A(2)(i)

Requirement: A maximum of 12 metres or 2 storeys, whichever is the lesser.

Office buildings and hotels shall not exceed a maximum of 25

metres or 6 storeys, whichever is the lesser.

Proposed: 14 metres Variance Requested: 2 metres

The 12 metre maximum height, to a limit of two storeys, for a building other than an office or hotel use set out in the Zoning By-Law recognizes the unique needs of the manufacturing, warehousing, and assembly plant uses permitted which need added height for such opearations, a recreational facility would also benefit from these provisions which would allow for a high dive board for a pool or a climbing wall. In this situation an additional 2 metres is sought over the allowable limit of 12 metres to accommodate the unique design requirements of the proposed air supported structure. The increase in height is unlikely to change the character of the area sought by the Zoning because of both the relatively small increase and because of the arched nature of the structure which differs from a typical building in which the massing projects straight up from the foundation.

Accordingly, the intent of the Zoning By-Law to create a specific built form which recognizes the needs of the permitted uses would be maintained as a result of the increase in height.

Variance Number 4: Distance Between Buildings on a Lot

By-Law Number 32-74: Section 21A(2)(j)

Requirement: [...] the distance between buildings shall be equal to the

average height of the buildings concerned, but in no case shall

the distance between buildings be less than 6 metres.

[Resulting in distances of 11 metres (Clubhouse-Tennis); 13.1 metres (Tennis-Multi-Use); and 10.1 metres (Clubhouse-Multi-

Use)1

Proposed: 3.1 metres (Clubhouse-Tennis); 14.2 metres (Tennis-Multi-

Use); and 13.9 metres (Clubhouse-Multi-Use)

Variance Requested: -7.9 metres (Clubhouse-Tennis); +1.1 metres (Tennis-Multi-

Use); and +3.8 metres (Clubhouse-Multi-Use)

The Zoning By-Law establishes a requirement to separate buildings by an amount equal to the average height of the buildings concerned with a minimum distance of 6 metres as a means of containing the development to one area of the lot and having the buildings proportionally relate to one another while also accommodating sufficient width between buildings to, potentially, accommodate vehicle passage between buildings. The proposed air supported structures have an arched structure which minimizes the apparent massing of the buildings while the club house by logical necessity has been situated closer to the one, taller, air supported structure. The proposed buildings work together in a functional manner and do not detract from the visual integrity of the site.

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Accordingly, the intent of the Zoning By-Law to create a cohesive built form would be maintained as a result of the variances to the required building setbacks.

3) The variances are minor in nature

The proposal and its requested variances are not anticipated to have any negative impacts on the built form or function of the area. The development will not result in a negative impact on the character of the neighbourhood, the streetscape, or off-site parking.

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

The proposed variances would allow for a more logical development of the property given the intended use and structures utilized on the site. The reduction on parking requirements and height and building setbacks would not have any impact on the functionality of the surrounding area.

Technical Review: Circulated Departments and Agencies

\boxtimes	Building Division		
	Finance	□ Utilities Kingston	☐ Real Estate & Environmental Initiatives
\boxtimes	Fire & Rescue		
\boxtimes	Solid Waste	□ Parks Development	□ Canadian National Railways
	Housing	□ District Councillor	☐ Ministry of Transportation
	KEDCO	☐ Municipal Drainage	☐ Kingston Airport
\boxtimes	CRCA	☐ KFL&A Health Unit	☐ Trans Northern Pipelines
	Parks Canada	☐ Eastern Ontario Power	☐ CFB Kingston
	Hydro One	☐ Enbridge Pipelines	☐ TransCanada Pipelines

Technical Comments

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

Public Comments

At the time this report was finalized, no written public concerns or objects received. Any public comments received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

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Previous or Concurrent Applications

There are no concurrent or relevant historic planning applications on the subject property.

Conclusion

The proposed use conforms to the permitted uses allowed within the Business Park Exception 1 (BP-1) Zone and represents good planning. The requested variances maintain the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 32-74. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variances are minor in nature. As such, the proposed application meets the requirement of 45(2)(b) and all four tests under Subsection 45(1) of the *Planning Act* and the application is being recommended for approval, subject to the proposed conditions.

Existing Policy/By-Law:

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

Provincial

Provincial Policy Statement, 2020

Municipal

City of Kingston Official Plan

Zoning By-Law Number 32-74

Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on January 17, 2022. Pursuant to the requirements of the *Planning Act*, a notice of Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 10 days in advance of the meeting. In addition, notices were sent by mail to a total number of one property owners (according to the latest Assessment Roll) within 60 metres of the subject property and a courtesy notice was placed in The Kingston Whig-Standard.

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

Accessibility Considerations:

None

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Financial Considerations:

None

Contacts:

James Bar, Manager, Development Approvals, 613-546-4291 extension 3213

Ian Clendening, Senior Planner, 613-546-4291 extension 3126

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Recommended Conditions

Exhibit B Key Map

Exhibit C Neighbourhood Context Map (2021)

Exhibit D Public Notification Map

Exhibit E Official Plan Map

Exhibit F Zoning By-Law Number 32-74, Map 4

Exhibit G Site Plan

Exhibit H Building Plans & Elevations

Recommended Conditions

Application for minor variance, File Number D13-073-2021

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

1. Limitation (Proposed Use)

That the approved permission applies only to subject site and the private recreation facility as a permitted use under Section 45(2)(b) of the Planning Act.

2. Limitation (Approved Drawings)

That the approved minor variance applies only to the subject lands located at 1025 Innovation Drive for the proposed clubhouse and air-supported recreational structures as shown on the approved drawings attached to the notice of decision.

3. No Adverse Impacts

The owner/applicant shall demonstrate to the satisfaction of the City that there are no adverse impacts on neighbouring properties as a result of any modifications to on-site grading or drainage.

4. Building Permit Application Requirements

The owner/applicant shall provide to the Building Services a copy of the decision of the Committee of Adjustment, together with a copy of the approved drawings, when they make application for a Building Permit.

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

5. Standard Archaeological Condition

In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7132) and the City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of

Exhibit A Report Number COA-22-018

Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8404), the Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7132), and the City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

Exhibit B Report Number COA-22-018



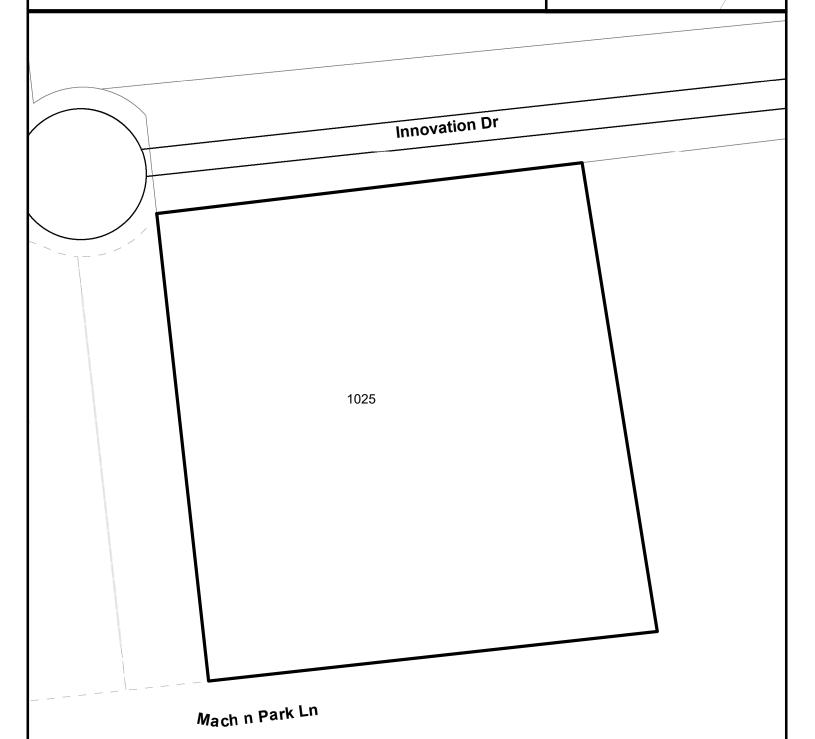
Committee of Adjustment

Key Map

Address: 1025 Innovation Drive File Number: D13-073-2021

Lands Subject to Minor Variance





Prepared By Ichu Date: Dec-04-2021 1:1,000





Committee of Adjustment Neighbourhood Context (2021)

Address: 1025 Innovation Drive File Number: D13-073-2021

Subject Lands
Property Boundaries
Proposed Parcels



Exhibit D Report Number COA-22-018



Committee of Adjustment **Public Notice Notification Map**

Address: 1025 Innovation Drive File Number: D13-073-2021

60m Public Notification Boundary

Subject Lands

☐ Property Boundaries

Proposed Parcels

1 Properties in Receipt of Notice (MPAC)

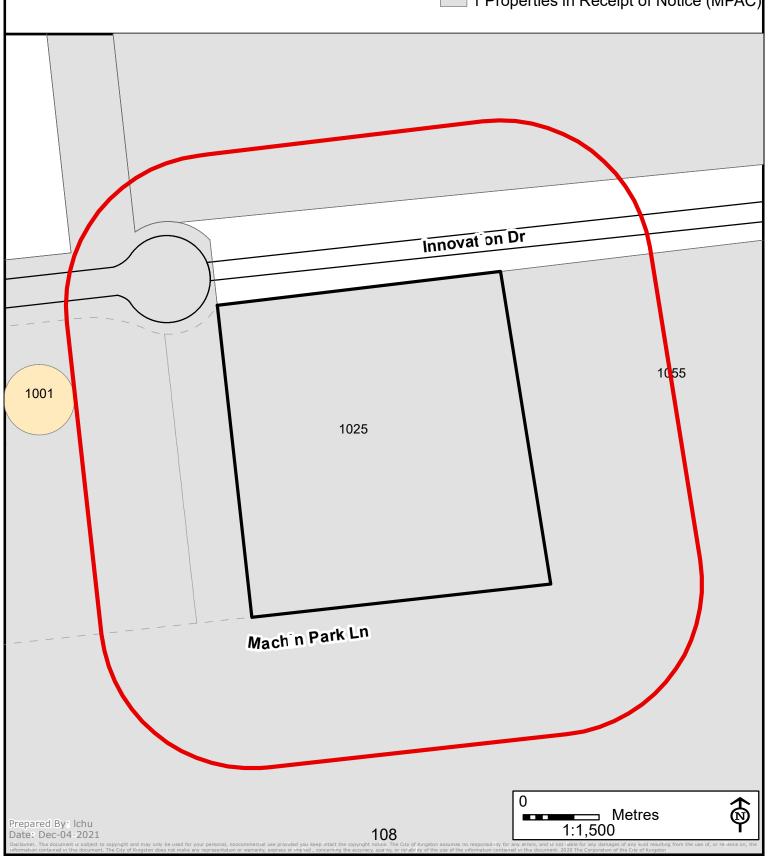


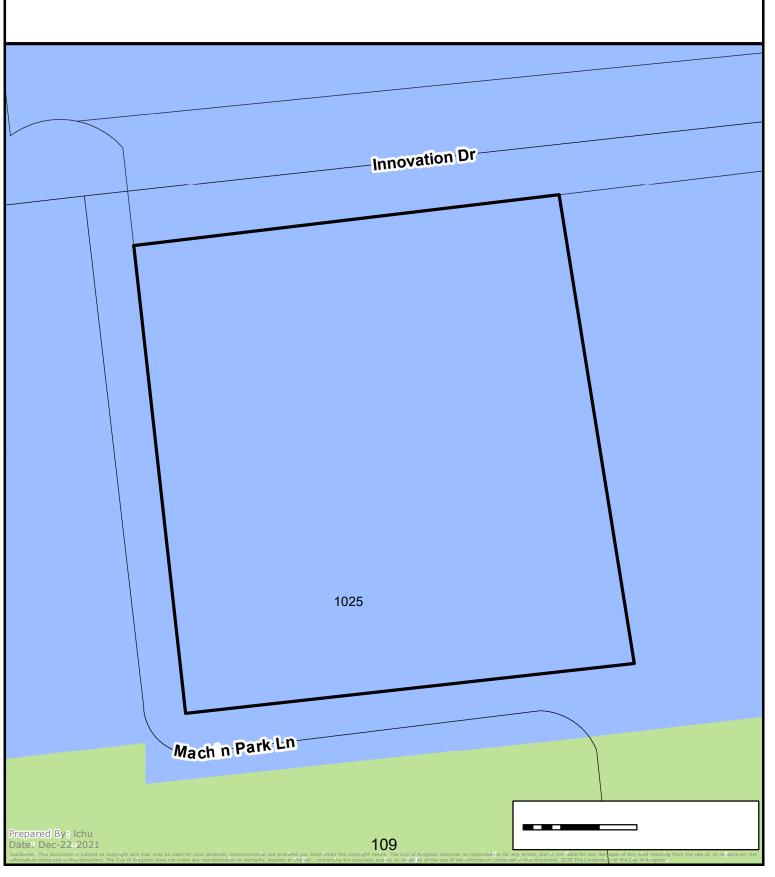
Exhibit E Report Number COA-22-018



Committee of Adjustment Official Plan, Existing Land Use

Address: 1025 Innovation Drive File Number: D13-073-2021

BUSINESS PARK INDUSTRIAL
OPEN SPACE





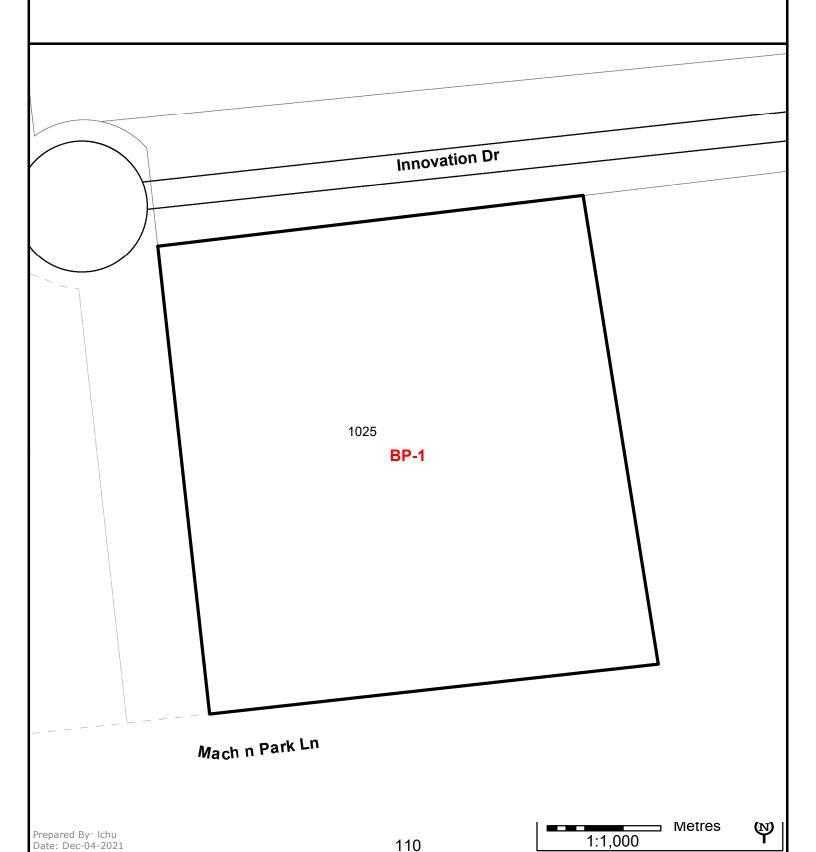
Committee of Adjustment

Existing Zoning - By-law 32-74, Map 4

Address: 1025 Innovation Drive File Number: D13-073-2021

Subject Lands Consolidated Zoning

1:1,000



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Exhibit G Report Number COA-22-018

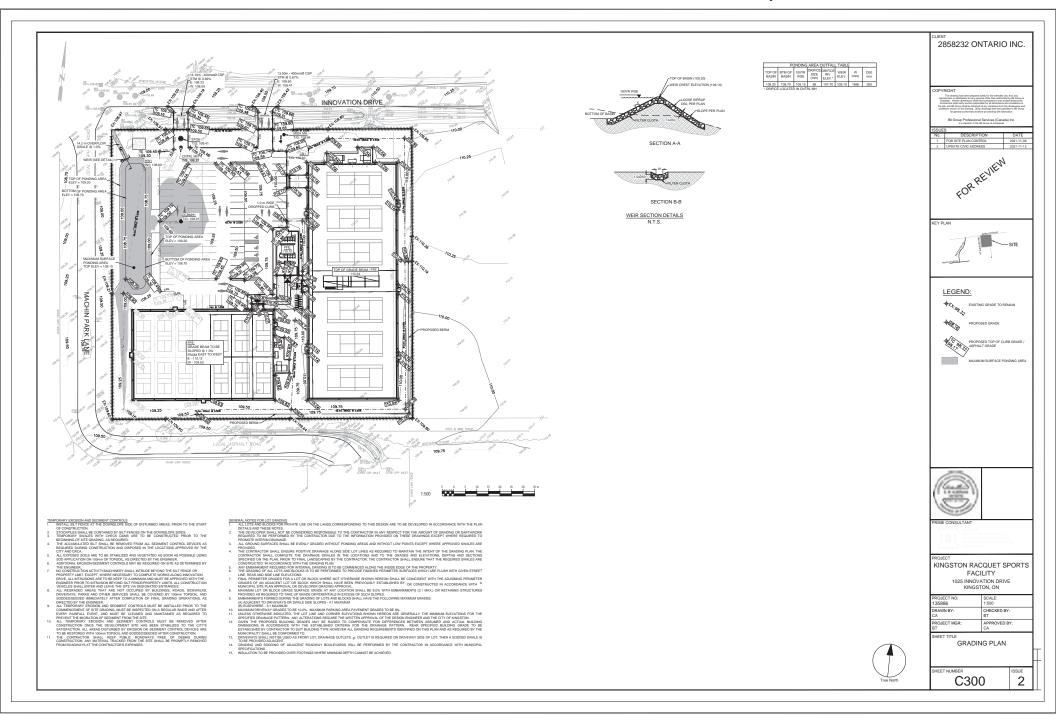
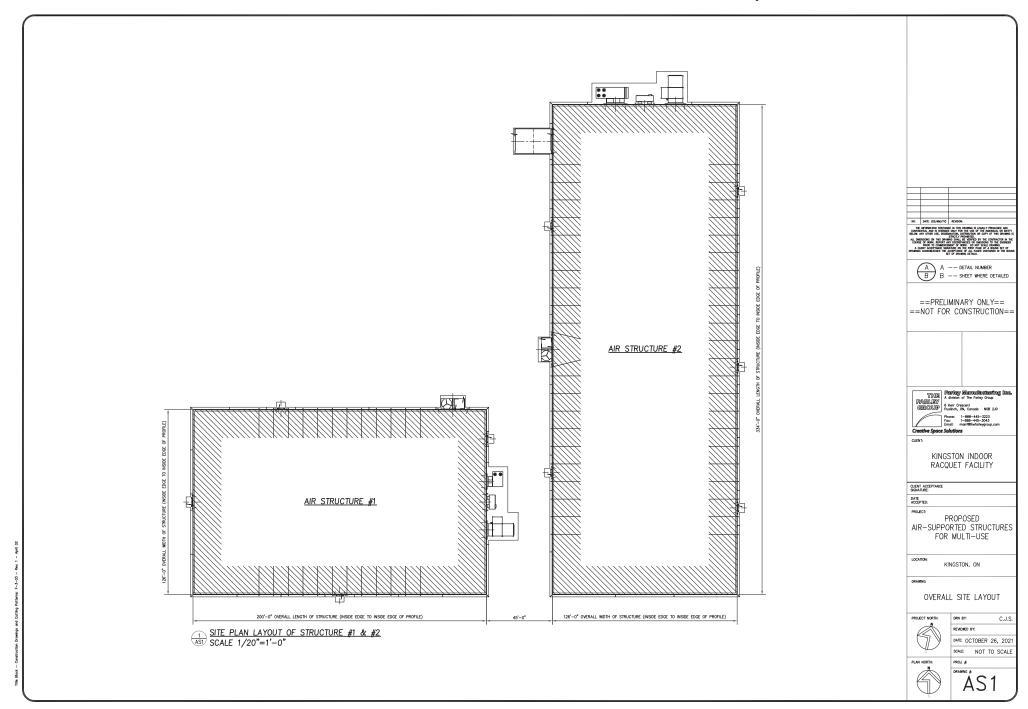
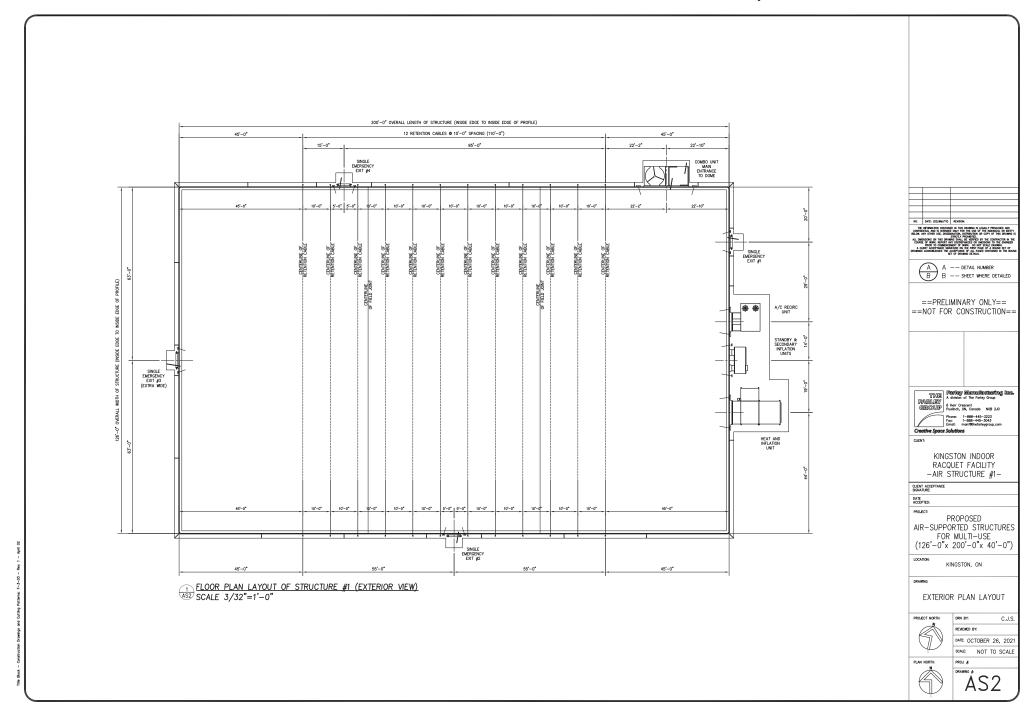
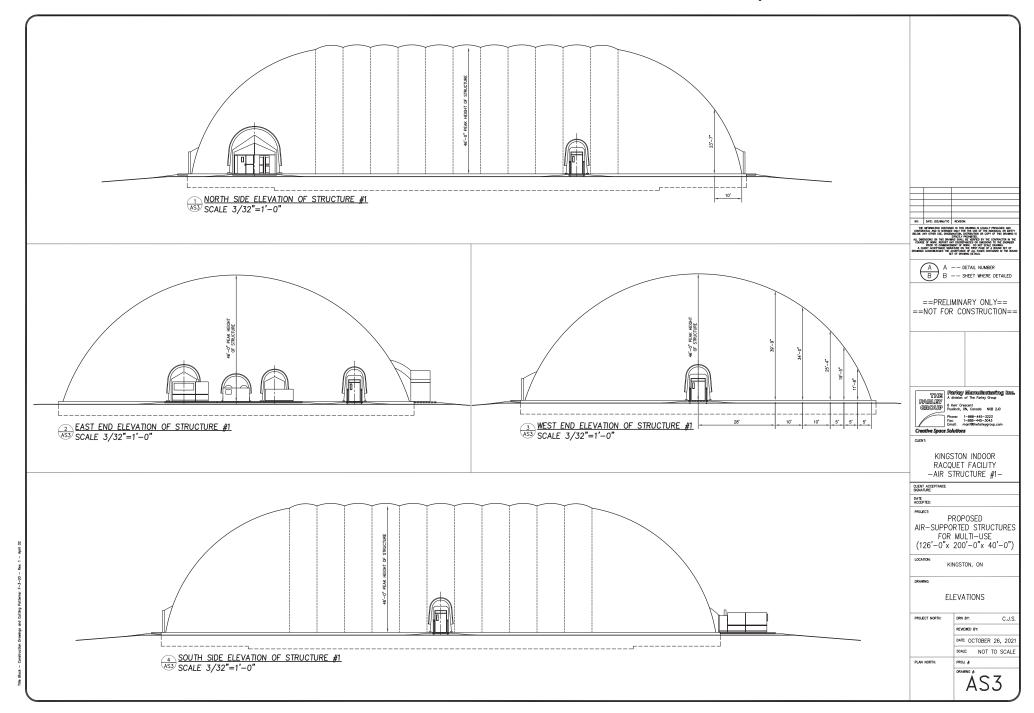
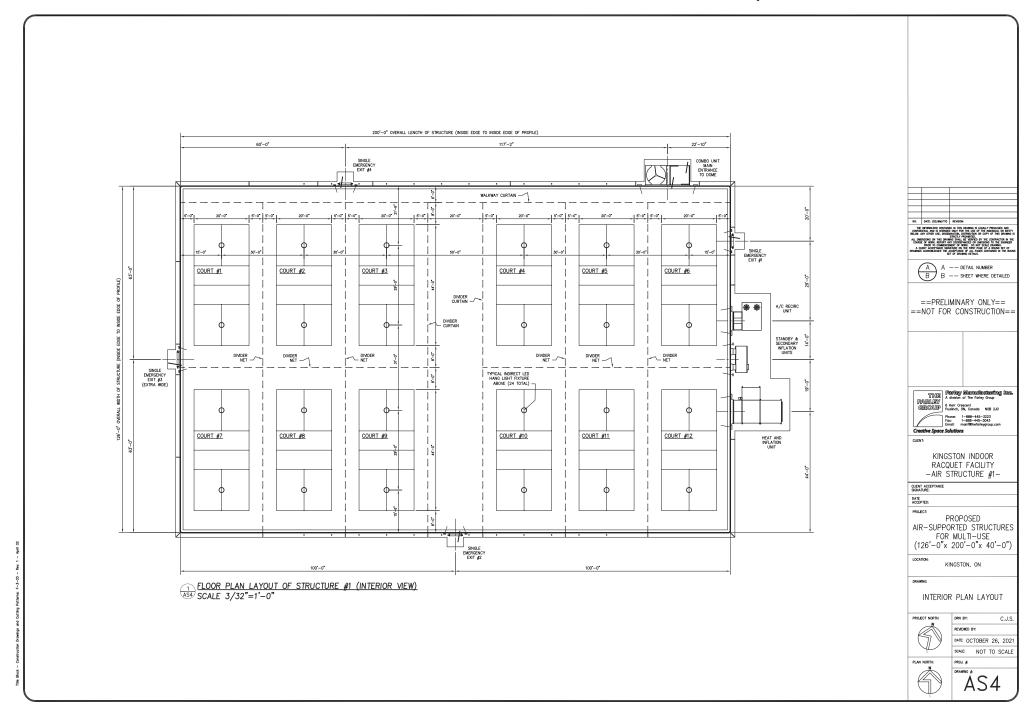


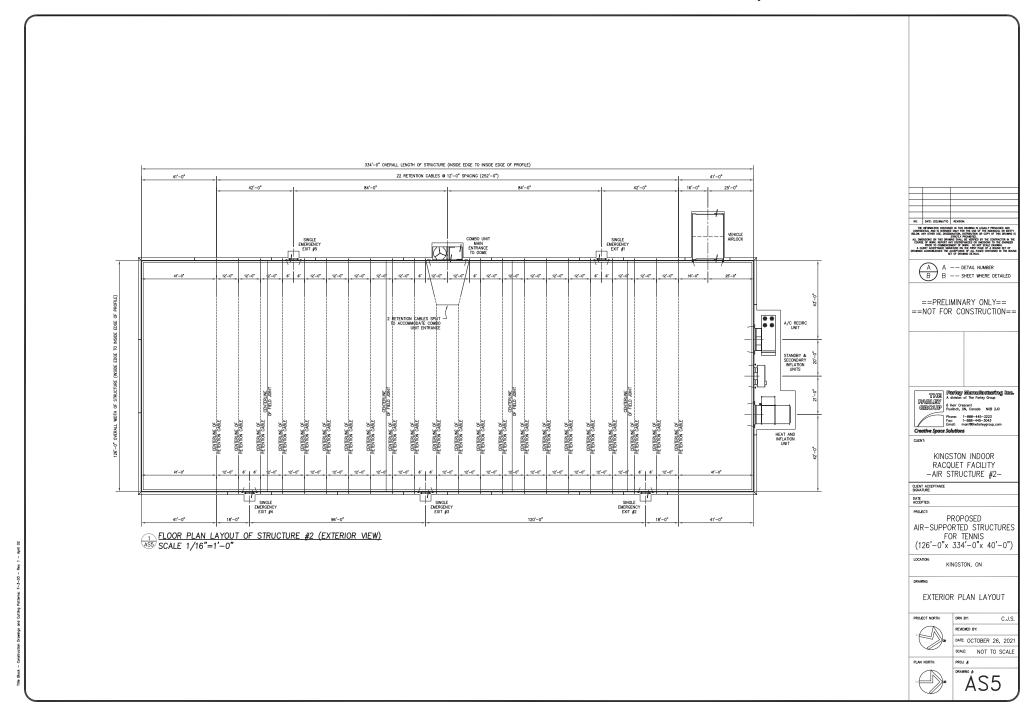
Exhibit H Report Number COA-22-018

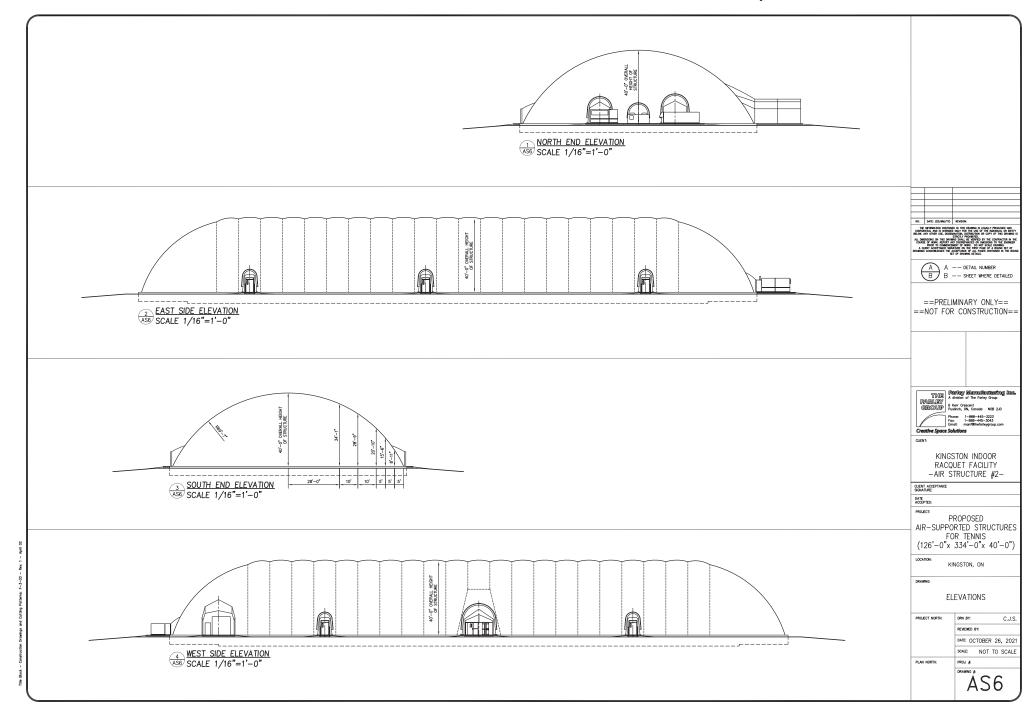


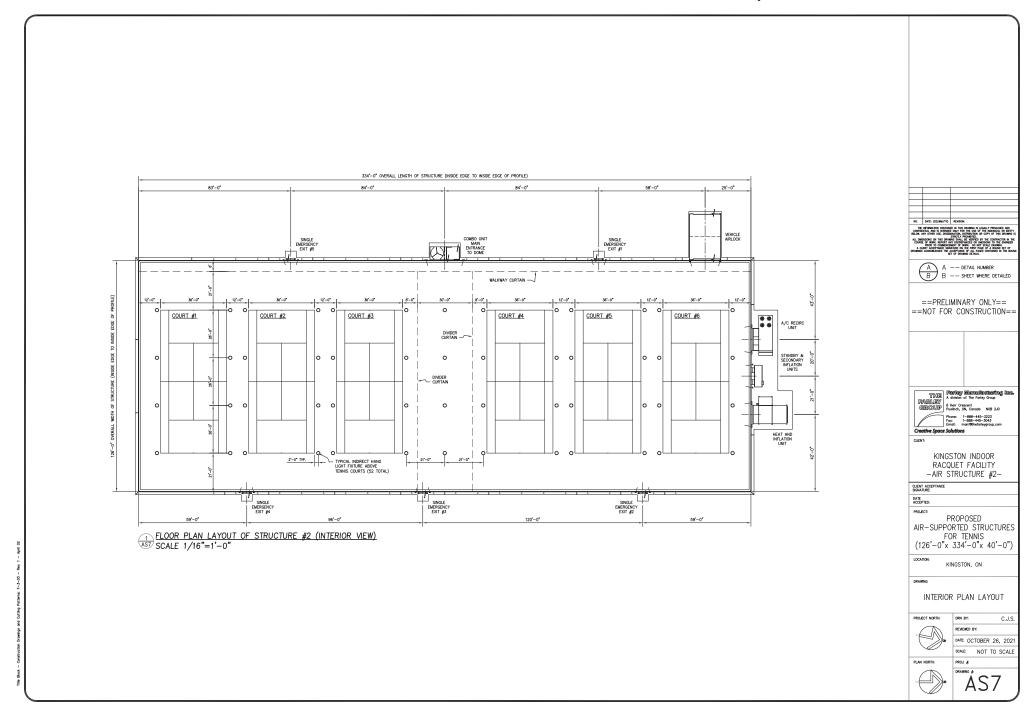












AIR STRUCTURE #2 COMPONENT DATA (TYP.)

2.500 MBtu

2 000 MBtu

7"-14" W.G.

(DATA SHOWN IS FOR EACH UNIT)

COMPONENTS SUPPLIED BY AIR STRUCTURE SUPPLIER, UNLESS OTHERWISE SPECIFIED

PRIMARY HEAT AND INFLATION UNIT

INPUT

OUTPUT

PRESSURE

NATURAL

GAS DATA

AIR STRUCTURE #1 COMPONENT DATA (TYP.)

1.500 MRtu

7"-14" W.G.

(DATA SHOWN IS FOR EACH UNIT)

COMPONENTS SUPPLIED BY AIR STRUCTURE SUPPLIER, UNLESS OTHERWISE SPECIFIED

PRIMARY HEAT AND INFLATION UNIT

INPUT

OUTPUT

PRESSURE

NATURAL GAS DATA

Exhibit H Report Number COA-22-018



Exhibit H Report Number COA-22-018

