



**City of Kingston
Report to Committee of Adjustment
Report Number COA-22-042**

To: Chair and Members of the Committee of Adjustment
From: InGi Kim, Planner
Date of Meeting: May 16, 2022
Application for: Minor Variance and Consent
File Numbers: D13-012-2022 and D10-004-2022
Address: 225 Johnson Street
Owner: Paul Chevalier
Applicant: John Lawless and Fotenn Consultants

Council Strategic Plan Alignment:

Theme: 2. Increase housing affordability

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

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding applications for minor variance and consent submitted by John Lawless and Fotenn Consultants on behalf of the owner, Paul Chevalier for the property located at 225 Johnson Street.

The subject property is located on the north side of Johnson Street within the Sydenham Heritage Conservation District. The property is developed with a detached single-family dwelling which is a heritage designated property. The property is currently designated as 'Residential' in the Official Plan and is zoned Three to Six Family Dwelling 'B' in Zoning By-Law Number 8499. The subject property is adjacent to a variety of residential uses including detached single-family dwelling, row housing, and low-rise apartment.

The purpose of the consent application (File Number D10-004-2022) is to permit the severance of the subject land to result in one severed and one retained lot. The retained parcel is proposed

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to have an area of approximately 344 square metres with approximately 10.7 metres of frontage on Johnson Street. The existing detached single-family dwelling will remain on the retained parcel. The four-unit multi-residential building is proposed on the severed parcel which is proposed to have an area of approximately 430 square metres with approximately 9.2 metres of frontage on Johnson Street. Vehicular access for both severed and retained parcels is proposed to be provided off the laneway in the rear. The existing attached garage is proposed to be demolished to accommodate the proposed lot severance.

The minor variance (File Number D13-012-2022) is requested to permit the proposed lot severance and construction of a new four-unit multi-residential building on the severed parcel. The applicant is proposing to develop the severed parcel with a two-storey multi-residential building containing four dwelling units. The development will provide two 1-bedroom units and two 2-bedroom units. Pedestrian access is proposed to be maintained off Johnson Street and vehicular access is proposed to be off the laneway in the rear. Four parking spaces are proposed, including one Type A accessible space. Four bicycle parking spaces are also proposed. Amenity space is provided with communal green space in the rear yard and private patios and balconies for each unit.

The final draft of the City’s new Zoning By-Law was approved by Council at its meeting held on April 26, 2022. As this application is scheduled for a Committee of Adjustment meeting subsequent to that date, the application has been reviewed against both the current Zoning By-Law Number 8499, as well as new Zoning By-Law Number 2022-062.

For the retained parcel, under Zoning By-Law Number 8499, reliefs from minimum side yard and aggregate side yard are required to facilitate the proposed lot severance. Under the new Zoning By-Law Number 2022-062, the retained parcel will comply with the side yard provisions but a relief from the minimum lot size will be required.

Retained Parcel under Zoning By-Law Number 8499:

Variance Number 1: Minimum Side Yard

By-Law Number 8499:	Section 13.3(c)
Requirement:	2/5 the height of the main building (3.6 metres)
Proposed:	1.2 metres
Variance Requested:	2.4 metres

Variance Number 2: Aggregate Side Yard

By-Law Number 8499:	Section 13.3(c)(i)
Requirement:	Height of the main building (9.0 metres)
Proposed:	2.5 metres
Variance Requested:	6.5 metres

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Retained Parcel under new Zoning By-Law Number 2022-062:

Variance Number 1: Minimum Lot Area

Zoning By-Law Number 2022-062:13.4.1.1

Requirement:	370 square metres
Proposed:	343.6 square metres
Variance Requested:	26.4 square metres

For the severed parcel, under the Zoning By-Law Number 8499, reliefs from minimum front yard depth, minimum side yard, aggregate side yard, maximum density, and projection into yards are required to facilitate the proposed lot severance and to accommodate the proposed new multi-residential building. Under the new Kingston Zoning By-Law Number 2022-062, the severed parcel will comply with the front yard, and side yard provisions but a relief from the maximum length for balconies, minimum lot frontage, the maximum building depth and the maximum density provisions will be required.

Severed Parcel under Zoning By-Law Number 8499:

Variance Number 1: Minimum Front Yard

By-Law Number 8499: Section 13.3(b)

Requirement:	6.0 metres
Proposed:	4.6 metres
Variance Requested:	1.4 metres

Variance Number 2: Minimum Side Yard

By-Law Number 8499: Section 13.3(c)

Requirement:	2/5 the height of the main building (3.4 metres)
Proposed:	1.2 metres
Variance Requested:	2.2 metres

Variance Number 3: Aggregate Side Yard

By-Law Number 8499: Section 13.3(c)(i)

Requirement:	Height of the main building (8.5 metres)
Proposed:	2.4 metres
Variance Requested:	6.1 metres

Variance Number 4: Maximum Density

By-Law Number 8499: Section 13.3(h)

Requirement:	69 dwelling units per net hectare
Proposed:	93.2 dwelling units per net hectare
Variance Requested:	Increase of 24.2 dwelling units per net hectare

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Variance Number 5: Projection into Yards, Minimum Setback from Interior Side Lot Line

By-Law Number 8499: Section 5.8(c)
 Requirement: Must meet setback requirements for individual zones (3.4 metres, aggregate of 8.5 metres)
 Proposed: Rear Balcony: 1.9 metres from the east lot line, 2.53 metres from the west lot line, aggregate of 4.46 metres, Front Balcony: 2.2 metres from the east lot line, 3.1 metres from the west lot line, aggregate of 5.3 metres
 Variance Requested: Rear Balcony: 1.5 metres from the east lot line, 0.87 metres from the west lot line, aggregate of 4.04 metres, Front Balcony: 1.2 metres from the east lot line, 0.3 metres from the west lot line, aggregate of 3.2 metres

Variance Number 6: Projection into Yards, Minimum Setback from Front Lot Line

By-Law Number 8499: Section 5.8(c)
 Requirement: Must meet setback requirements for individual zones (6.0 metres)
 Proposed: 3.5 metres
 Variance Requested: 2.5 metres

Severed Parcel under the new Zoning By-Law Number 2022-062:

Variance Number 1: Minimum Lot Frontage

Zoning By-Law Number 2022-062: Section 13.4.1.2
 Requirement: 10.0 metres
 Proposed: 9.2 metres
 Variance Requested: 0.8 metres

Variance Number 2: Maximum Building Depth

Zoning By-Law Number 2022-062: Section 13.4.1.12
 Requirement: 18.0 metres
 Proposed: 19.8 metres
 Variance Requested: 1.8 metres

Variance Number 3: Maximum Density

Zoning By-Law Number 2022-062: Section 13.4.1.13
 Requirement: 69 dwelling units per net hectare
 Proposed: 93.2 dwelling units per net hectare
 Variance Requested: Increase of 24.2 dwelling units per net hectare

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Variance Number 4: Balconies – Maximum Length

Zoning By-Law Number 2022-062: Section 4.20.1.2

Requirement: 30% of the horizontal length of the main wall of each storey

Proposed: Up to 50% of the horizontal length of the main wall

Variance Requested: Increase of 20% of the horizontal length of the main wall

The requested minor variance and consent applications are consistent with the Provincial Policy Statement and conform with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The requested minor variance is desirable for the appropriate development or use of the land, building or structure and is minor in nature. The proposed minor variance application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval. The requested consent application has regard to the matters set out in subsection 51(24) of the *Planning Act* and a plan of subdivision is not necessary for the proper and orderly development of the property, as such, is recommended for provisional approval.

Recommendation:

That minor variance application, File Number D13-012-2022 for the property located at 225 Johnson Street to facilitate the proposed lot severance and to construct a new four-unit multi-residential dwelling on the severed parcel, be approved subject to the conditions attached as Exhibit A (Recommended Conditions – Minor Variance) to Report Number COA-22-042; and

That consent application, File Number D10-004-2022, to sever a 430 square metre parcel of land with 9.2 metres of road frontage on Johnson Street and retain a 344 square metre parcel of land with 10.7 metres of road frontage on Johnson Street containing a single-family dwelling, be provisionally approved subject to the conditions included in Exhibit B (Recommended Conditions – Consent) to Report Number COA-22-042.

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Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER

InGi Kim, Planner

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 February 24, 2022, applications for minor variance and consent were submitted by John Lawless and Fotenn Consultants on behalf of the owner Chris Chevalier for the subject property located at 225 Johnson Street. The intention of the concurrent consent and minor variance applications are to facilitate the creation of two separate, conveyable parcels, one containing the existing detached single-family dwelling and the other to contain the proposed four-unit multiple residential building.

The purpose of the consent application (File Number D10-004-2022) is to permit the severance of the subject land to result in one severed and one retained lot. The retained parcel is proposed to have an area of approximately 344 square metres with approximately 10.7 metres of frontage on Johnson Street. The existing detached single-family dwelling will remain on the retained parcel. The four-unit multi-residential building is proposed on the severed parcel which is proposed to have an area of approximately 430 square metres with approximately 9.2 metres of frontage on Johnson Street. Vehicular access for both severed and retained parcels is proposed to be provided off the laneway in the rear. The existing attached garage is proposed to be demolished to accommodate the severance.

The minor variance (File Number D13-012-2022) is requested to permit the proposed lot severance and construction of a new four-unit multi-residential building on the severed parcel. The applicant is proposing to develop the severed parcel with a two-storey multi-residential building containing four dwelling units. The development will provide two, 1-bedroom units and two, 2-bedroom units. Pedestrian access is to be maintained off Johnson Street and vehicular access will be off the laneway in the rear. Four parking spaces are proposed, including one Type A accessible space and four bicycle parking spaces. Amenity space is provided with communal green space in the rear yard and private patios and balconies for each unit.

The final draft of the City's new Zoning By-Law was approved by Council at its meeting held on April 26, 2022. As this application is scheduled for a Committee of Adjustment meeting subsequent to that date, the application has been reviewed against both the current Zoning By-Law Number 8499, as well as the new Zoning By-Law Number 2022-062.

For the retained parcel, under the Zoning By-Law Number 8499, reliefs from minimum side yard and aggregate side yard are required to facilitate the proposed lot severance. Under new Zoning By-Law Number 2022-062, the retained parcel will comply with the side yard provisions but a relief from the minimum lot size will be required.

For the severed parcel, under the Zoning By-Law Number 8499, reliefs from minimum front yard depth, minimum side yard, aggregate side yard, maximum density, and projection into yards are required to facilitate the proposed lot severance and to accommodate the proposed new multi-residential building. Under new Zoning By-Law Number 2022-062, the severed parcel will comply with the front yard, and side yard provisions but a relief from the maximum length for balconies, minimum lot frontage, the maximum building depth and the maximum density provisions will be required.

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Site Characteristics

The subject property is located on the north side of Johnson Street (Exhibit C - Key Map) within the Sydenham Heritage Conservation District. The site has an area of approximately 773.5 square metres with approximately 19.9 metres of frontage on Johnson Street. The property currently contains a detached single-family dwelling with an attached garage with a driveway off Johnson Street (Exhibit G - Neighbourhood Context, 2021).

The subject property is designated 'Residential' in the Official Plan (Exhibit D - Official Plan Map) and zoned Three to Six Family Dwelling 'B' in Zoning By-Law Number 8499 (Exhibit E - Zoning By-Law Number 8499, Map 31). The subject property is proposed to be zoned Heritage District 3 (Old Sydenham) 'HCD3' in the new Zoning By-Law Number 2022-062 (Exhibit F - New Zoning By-Law Number 2022-062 Map).

The subject property is adjacent to a variety of residential uses including detached single-family dwelling, row housing, and low-rise apartment. The surrounding area is primarily characterized by residential uses but there are commercial uses along Brock Street and institutional uses within a short walking distance (Exhibit G - Neighbourhood Context, 2021).

Application

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

- Concept Site Plan (Exhibit H);
- Concept Site Model (Exhibit I);
- Floor Plans (Exhibit J);
- Elevations (Exhibit K);
- Site Survey;
- Noise Impact Study;
- Archaeology Assessment; and
- Planning Justification

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

Provincial Policy Statement

The Provincial Policy Statement (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 much, the proposal conforms to and is consistent with the PPS.

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Consent Application

The requested consent applications have regard to the matters set out in subsection 51(24) of the *Planning Act*, are consistent with the general purpose and intent of the City of Kingston Official Plan and it complies with the requirements of Zoning By-Law Number 8499.

Official Plan

The subject property is designated 'Residential' in the City of Kingston Official Plan. 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 at all levels of affordability within a safe, convenient, and stable setting, organized primarily into neighbourhoods. Residential uses include detached, semi-detached, or duplex dwellings, townhouses, and apartments of various types, tenures, and density. The proposed consent application complies with the residential uses permitted within the Residential designation.

The creation of individual parcels of land by way of consent is subject to the consent policies of the Official Plan. In considering whether the proposal is appropriate, the Committee of Adjustment will have regard for the requirements included within the Official Plan, specifically section 9.6.13 titled: "Criteria for Consent Approval". The following lists these requirements and is an assessment of how the proposal is consistent with each relevant policy.

1. The lot frontage, depth and area of any lot created by consent (severed and retained parcel) must be appropriate for the use proposed for the lot, be in compliance with the provisions of the zoning by-law and consistent, where possible, with adjacent lots;

The proposed consent will result in a total of two lots, one severed and one retained parcel. The existing zoning of the subject site does not require minimum lot frontages or lot area. However, under the new Zoning By-Law Number 2022-062, the retained parcel will not meet the minimum lot area requirement by 26.4 square metres and the severed parcel will not meet the minimum lot frontage requirement by 0.8 metres. The proposed lots have been designed appropriately for the use of each. The surrounding neighbourhood contains a range of lot areas and frontages, and the proposed severance will not impact the existing lot fabric of the neighbourhood.

2. Proposed severances that would result in irregularly shaped lots are to be avoided where possible

The proposed severance will not result in irregularly shaped lots.

3. Consents may be granted only when each parcel of land has frontage and direct access from an assumed road, except for conservation lands such as those held by the Conservation Authority or a land trust that can be accessed through an easement or right-of-way on abutting lands;

Both severed and retained parcels will have appropriate road frontage onto Johnson Street which is classified as an arterial road in Schedule 4 of the Official Plan.

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Pedestrians will have direct access to and from Johnson Street. Vehicular access for both severed and retained parcels is proposed to be provided off the laneway in the rear.

4. Direct access from major roads is limited and is subject to the terms of any permits or approvals required from an agency having jurisdiction, with particular attention to controlled areas subject to Ministry of Transportation review and approval;

The site contains an existing driveway from Johnson Street which is proposed to be removed. Vehicular access for both severed and retained parcels is provided off the laneway in the rear.

5. New access points or driveways must be located where they would not create a traffic hazard because of sight lines on curves, grades or corners;

No new access points or driveways off Johnson Street are proposed. All vehicular access for both severed and retained parcels is proposed to be provided off the laneway in the rear.

6. Minor infilling of residential development is permitted except where the new lots would result in ribbon development of more than four non-farm residential lots that takes the form of a single depth of houses or other land uses fronting along roads in Rural Areas;

The severed lot is located within the urban boundary and is considered infill as it will be created between existing lots.

7. Infill residential development is permitted within Rural Areas where there is a distance of 100 metres or less of frontage between two non-farm residential lots on the same side of the road and the lot can meet all of the other policies of the Plan and requirements of the zoning by-law;

The subject property is located within the urban boundary and is not subject to this provision.

8. Compatibility and any separation distances required between the proposed land uses for the lot and the neighbouring land uses located in Rural Areas must be considered;

The subject property is located within the urban boundary. The severed and retained lots and their intended uses will not result in any adverse impacts on the abutting residential uses or their continued use.

9. Any application for a consent must assess the impact on the natural heritage system, natural heritage features and areas, natural hazards, cultural heritage resources and areas of archaeological potential, or areas of archaeological significance as set out in Sections 5, 6 and 7 of the Plan; and

The subject site is not located in proximity to any natural heritage features or areas, natural hazards, or significant environmental features as identified on Schedule 7-A and 8-A of the Official Plan.

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The subject property is designated under Part V of the *Ontario Heritage Act* as part of the Old Sydenham Heritage Conservation District. Conditional *Heritage Act* approval was granted for the demolition of the existing garage and the erection of the new building, through permit File Number P18-074-2021, on February 1, 2022. This approval is in effect for 3 years. Conditions of the *Heritage Act* approval will need to be fulfilled prior to any construction or demolition on site.

Through the Technical Review process, Heritage Planning noted that the submitted plans are inconsistent with those approved through the *Heritage Act* file, specifically related to the fenestration pattern (doors and windows) and design on the front (Johnson Street) elevation. Design details will be revised as part of the site plan control submission.

The property is identified as having composite archaeological potential on the City's Archaeological Master Plan. The City of Kingston is in receipt of an Archaeological Assessment for the property located at 225 Johnson Street prepared by Abacus Archaeological Services dated November 19, 2021. The acceptance letter from the Ministry of Heritage, Sport, Tourism, and Culture Industries shall be provided to the Secretary-Treasurer of the Committee of Adjustment, prior to the issuance of the Certificate of Official.

10. The City must be satisfied that any development lots created by consent can be supplied with such municipal services as fire protection, road maintenance, storm drainage and where applicable, water supply and sewage disposal facilities, such that the provision of services does not adversely affect the City's finances.

The subject property is currently on full municipal services. As indicated Exhibit B – Recommended Conditions – Consent, prior to the issuance of a Certificate of Official it shall be necessary for the applicant to provide and for Utilities Kingston to approve a sketch showing all existing services and the mains they connect too, and the existing buildings and all proposed and existing property lines.

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

Zoning By-Law

The subject property is zoned Three to Six Family Dwelling 'B' in the City of Kingston Zoning By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended. Proposed four-unit multi-residential building is a permitted use under the 'B' Zone.

A minor variance is requested to permit the proposed lot severance and construction of a new four-unit multi-residential building on the severed parcel. The application has been reviewed against both the current Zoning By-Law Number 8499, as well as the new Zoning By-Law Number 2022-062.

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Minor Variance Application

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

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

The subject property is designated 'Residential' in 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 subject property is located within Centres and Corridors, as shown on Schedule 2 of the Official Plan. Centres and Corridors are areas where intensification will be focused, and where greater densities of residential and non-residential development will be permitted. The proposal will not have any negative impacts on abutting properties or residential uses and/or structures. The use, density, scale and massing of the proposal is compatible with the surrounding residential uses and will not result in significant impacts or changes to the surrounding area.

The proposed development has a density of 93.2 dwelling units per net hectare. Section 3.3.C.1 of the Official Plan defines high density residential land uses are those with a density of 75 units per net hectare or more. Proposals for new high density residential use which require a zoning by-law amendment or minor variance in support of factors that affect built form must generally satisfy the location criteria specified in Section 3.3.C.3.

The property is located on an arterial road within a centre, within walking distance of commercial uses in Williamsville and downtown to the north and City Park to the south. As such, the proposed high-density residential use meets the locational criteria of Section 3.3.C.3.

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 Official Plan defines compatibility as the ability of various land uses, buildings, sites, or urban design treatments to co-exist with one another in a manner that will not have an undue physical or functional adverse effect on existing or proposed development in the

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area or pose an unacceptable risk to environmental or human health. The proposed building design incorporates mitigation measures to alleviate the potential for undue adverse impacts on the surrounding area.

The massing of the building is pushed towards the south of the site to form a consistent building line with the adjacent properties to the west. The two-storey building height provides compatible built form between the adjacent two-and-a-half storey dwellings to the east and west and the dwelling to the south across Johnson Street. While the aggregate and side yard setbacks are proposed to be reduced, the built form is suitable for the site and is consistent with the existing built form of adjacent properties.

The abutting property to the west, 231 Johnson Street, appears to have a nearly zero metre side yard setback on its east side facing the subject property and will be separated from the proposed building by the 1.2 metres setback which complies with the provisions of new Zoning By-Law Number 2022-062. No balconies will be in the side yards. The proposed building is architecturally compatible with the existing character of the neighbourhood, with similar scale and massing to adjacent residential buildings on Johnson Street. At the Site Plan Control stage, the applicant will work with Heritage Planning for heritage design details. Any proposed lighting will be reviewed through Site Plan Control to ensure it does not adversely impact neighbouring properties. The proposed development is consistent with the uses of the B zone and existing adjacent development whereby they can coexist compatibility with one another.

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;

Appropriate access and parking facilities are included in the proposed development. The existing driveway off Johnson Street will be removed and all parking will be in the rear yard off the laneway in the rear. Two parking space will be provided for the retained parcel with the existing detached single-family dwelling. Four parking spaces will be provided (including one Type A accessible space) for the proposed multi-residential building on the severed parcel. Four bicycle parking spaces will also be provided in the in accordance with the requirements of the zoning by-law. The main building is located at the front of the building facing Johnson Street, with a concrete walkway providing pedestrian access to the building.

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 proposal generally conforms with the applicable urban design policies, as outlined in Section 8 of the Official Plan. The development of the severed lands will be subject to a Site Plan Control application, through which considerations such as exterior design, sustainable design elements, and accessibility will be reviewed.

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

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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 designated under Part V of the *Ontario Heritage Act* as part of the Old Sydenham Heritage Conservation District. Conditional *Heritage Act* approval was granted for the demolition of the existing garage and the erection of the new building, through permit File Number P18-074-2021, on February 1, 2022. This approval is in effect for 3 years. Conditions of the *Heritage Act* approval will need to be fulfilled prior to any construction or demolition on site.

Through the Technical Review process, Heritage Planning noted that the submitted plans are inconsistent with those approved through the *Heritage Act* file, specifically related to the fenestration pattern (doors and windows) and design on the front (Johnson Street) elevation. Design details will be revised as part of the site plan control submission.

The property is identified as having composite archaeological potential on the City's Archaeological Master Plan. The City of Kingston is in receipt of an Archaeological Assessment for the property located at 225 Johnson Street prepared by Abacus Archaeological Services dated November 19, 2021. The acceptance letter from the Ministry of Heritage, Sport, Tourism, and Culture Industries shall be provided to the Secretary-Treasurer of the Committee of Adjustment, prior to the issuance of the Certificate of Official.

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 site is located within the urban boundary and is developed with sufficient municipal water and sewage services. As a condition of approval of Minor Variances requested, Utilities Kingston will require a servicing plan showing any existing and proposed services.

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 application and the cumulative impact of the proposal does not warrant a zoning bylaw 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;

The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application. Suggested conditions are listed in the recommendations in Exhibits A and B. Conditions may be added, altered, or removed at the Committee's discretion.

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

The approval of the requested variances will not set a precedent for the immediate area.

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

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

The subject property is zoned Three to Six Family Dwelling ‘B’ in the City of Kingston Zoning By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended. Proposed four-unit multi-residential building is a permitted use under the ‘B’ Zone. The subject property is proposed to be zoned Heritage District 3 (Old Sydenham) ‘HCD3’ in new Zoning By-Law Number 2022-062.

The proposal requires a variance to the following sections:

Retained Parcel

For the retained parcel, under the Zoning By-Law Number 8499, reliefs from minimum side yard and aggregate side yard are required to facilitate the proposed lot severance. Under new Zoning By-Law Number 2022-062, the retained parcel will comply with the side yard provisions but a relief from the minimum lot size will be required.

Retained Parcel under Zoning By-Law Number 8499:

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By-Law Number 8499:	Section 13.3(c)(i)
Requirement:	Height of the main building (9.0 metres)
Proposed:	2.5 metres
Variance Requested:	6.5 metres

Retained Parcel under new Kingston Zoning By-Law Number 2022-062:

Variance Number 1: Minimum Lot Area

Zoning By-Law Number 2022-062:	13.4.1.1
Requirement:	370 square metres
Proposed:	343.6 square metres
Variance Requested:	26.4 square metres

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Minimum Side Yard and Aggregate Side Yard:

Variations are requested from Section 13.3(c) of Zoning By-Law Number 8499 to seek reliefs for minimum side yard and aggregate side yard. The B zone requires a minimum side yard that is equal to the 2/5 the height of the main building. Since the height of the existing building is 9.0 metres, a minimum side yard of 3.6 metres is required on each side. A minimum aggregate side yard of the height of the main building, 9.0 metres, is also required.

The intent of the required minimum side yard and minimum aggregate side yard provisions is to maintain adequate landscaped amenity area, to prevent loss of privacy from intrusive overlook onto neighbouring properties, and to achieve appropriate separation between buildings. They are also intended to ensure that on-site access is maintained to the rear yard. The existing building will be a half storey higher than the proposed building on the severed parcel and 1.2 metre side yard width will allow for pedestrians to access rear yard from the front. Additional 1.2 metre side yard width on the severed lot will ensure that there will be enough separation between the existing dwelling to the proposed building. It should be noted that many buildings located along Johnson Street and in the surrounding neighbourhood pre-date the enactment of Zoning By-Law Number 8499 and do not comply with the side yard and aggregate side yard requirements of the B zone. Additionally, the proposed side yard width complies with provisions for HCD3 Zone under new Zoning By-Law Number 2022-062. Considering the abovementioned factors, the proposed development effectively mitigates the potential for overlook and loss of privacy and is consistent with the existing character of the neighbourhood.

Minimum Lot Area:

A variance is requested from Section 13.4.1.1 from the new Zoning By-Law Number 2022-062 to seek relief from the minimum lot area. The HCD3 Zone requires a minimum lot area of 370 square metres. The existing zoning of the subject site does not require minimum lot area. However, under the final draft of the new Zoning By-Law, the retained parcel will not meet the minimum lot area requirement by 26.4 square metres. The proposed lots have been designed appropriately for the use of each. The surrounding neighbourhood contains a range of lot areas and frontages, and the proposed severance will not impact the existing lot fabric of the neighbourhood.

Severed Parcel

For the severed parcel, under the Zoning By-Law Number 8499, reliefs from minimum front yard depth, minimum side yard, aggregate side yard, maximum density, and projection into yards are required to facilitate the proposed lot severance and to accommodate the proposed new multi-residential building. Under new Zoning By-Law Number 2022-062, the severed parcel will comply with the front yard, and side yard provisions but a relief from the maximum length for balconies, minimum lot frontage, the maximum building depth and the maximum density provisions will be required.

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Severed Parcel under Zoning By-Law Number 8499:

Variance Number 1: Minimum Front Yard

By-Law Number 8499: Section 13.3(b)
Requirement: 6.0 metres
Proposed: 4.6 metres
Variance Requested: 1.4 metres

Variance Number 2: Minimum Side Yard

By-Law Number 8499: Section 13.3(c)
Requirement: 2/5 the height of the main building (3.4 metres)
Proposed: 1.2 metres
Variance Requested: 2.2 metres

Variance Number 3: Aggregate Side Yard

By-Law Number 8499: Section 13.3(c)(i)
Requirement: Height of the main building (8.5 metres)
Proposed: 2.4 metres
Variance Requested: 6.1 metres

Variance Number 4: Maximum Density

By-Law Number 8499: Section 13.3(h)
Requirement: 69 dwelling units per net hectare
Proposed: 93.2 dwelling units per net hectare
Variance Requested: Increase of 24.2 dwelling units per net hectare

Variance Number 5: Projection into Yards, Minimum Setback from Interior Side Lot Line

By-Law Number 8499: Section 5.8(c)
Requirement: Must meet setback requirements for individual zones (3.4 metres, aggregate of 8.5 metres)
Proposed: Rear Balcony: 1.9 metres from the east lot line, 2.53 metres from the west lot line, aggregate of 4.46 metres, Front Balcony: 2.2 metres from the east lot line, 3.1 metres from the west lot line, aggregate of 5.3 metres
Variance Requested: Rear Balcony: 1.5 metres from the east lot line, 0.87 metres from the west lot line, aggregate of 4.04 metres, Front Balcony: 1.2 metres from the east lot line, 0.3 metres from the west lot line, aggregate of 3.2 metres

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Variance Number 6: Projection into Yards, Minimum Setback from Front Lot Line

By-Law Number 8499: Section 5.8(c)
 Requirement: Must meet setback requirements for individual zones (6.0 metres)
 Proposed: 3.5 metres
 Variance Requested: 2.5 metres

Severed Parcel under new Zoning By-Law Number 2022-062:

Variance Number 1: Minimum Lot Frontage

Zoning By-Law Number 2022-062: Section 13.4.1.2
 Requirement: 10.0 metres
 Proposed: 9.2 metres
 Variance Requested: 0.8 metres

Variance Number 2: Maximum Building Depth

Zoning By-Law Number 2022-062: Section 13.4.1.12
 Requirement: 18.0 metres
 Proposed: 19.8 metres
 Variance Requested: 1.8 metres

Variance Number 3: Maximum Density

Zoning By-Law Number 2022-062: Section 13.4.1.13
 Requirement: 69 dwelling units per net hectare
 Proposed: 93.2 dwelling units per net hectare
 Variance Requested: Increase of 24.2 dwelling units per net hectare

Variance Number 4: Balconies – Maximum Length

Zoning By-Law Number 2022-062: Section 4.20.1.2
 Requirement: 30% of the horizontal length of the main wall of each storey
 Proposed: Up to 50% of the horizontal length of the main wall
 Variance Requested: Increase of 20% of the horizontal length of the main wall

Minimum Front Yard:

A variance is required from Section 13.3(b) of Zoning By-Law Number 8499 to seek relief for minimum front yard. The proposed development provides a front yard width of 4.6 metres where the zoning by-law requires 6.0 metres. The intent of the minimum front yard provision is to ensure that adequate landscaped open space is provided and that buildings are appropriately situated in relation to the street for a consistent streetscape. The proposed development complies with the landscaped open space requirements of the B zone. In addition, the proposed front yard aligns with the front yards of neighbouring properties helping to achieve a continuous streetscape. No negative visual impact on the streetscape is anticipated as a result of the requested reduction in minimum front yard.

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Through the technical review process, Public Works-Forestry has expressed a concern with the request for variance from the front yard setback and the proposed concrete walkway due to the existing city owned tree nearby. As part of the Site Plan Control application, Public Works-Forestry will require (1) proposed walkway to be shifted to the east side of the lot over the existing concrete driveway; (2) an Arborist report with Tree Preservation and Protection Plan for review.

Minimum Side Yard and Aggregate Side Yard:

Variances are requested from Section 13.3(c) of Zoning By-Law Number 8499 to seek reliefs for minimum side yard and aggregate side yard. The B zone requires a minimum side yard that is equal to the 2/5 the height of the main building. Since the height of the proposed building is 8.5 metres, a minimum side yard of 3.4 metres is required on each side. A minimum aggregate side yard of the height of the main building, 8.5 metres, is also required. The intent of the required minimum side yard and minimum aggregate side yard provisions is to maintain adequate landscaped amenity area, to prevent loss of privacy from intrusive overlook onto neighbouring properties, and to achieve appropriate separation between buildings. They are also intended to ensure that on-site access is maintained to the rear yard. The proposed development is designed to mitigate the potential for intrusive overlook by providing height and building depth that is contextual with the neighbourhood. Windows on the side wall will be glazed as well (Exhibit K – Elevations). The proposed building will be half storey lower than the neighbouring properties and the building depth matches the existing residential building to the west. The 1.2 metre side yard width will allow for pedestrians to access rear yard from the front. It should be noted that many buildings located along Johnson Street and in the surrounding neighbourhood pre-date the enactment of Zoning By-Law Number 8499 and do not comply with the side yard and aggregate side yard requirements of the B zone. Additionally, the proposed side yard width complies with provisions for HCD3 Zone under new Zoning By-Law Number 2022-062. Considering the abovementioned factors, the proposed development effectively mitigates the potential for overlook and loss of privacy and is consistent with the existing character of the neighbourhood.

Maximum Density:

A variance is required from Section 13.3(h) of Zoning By-Law Number 8499 and from Section 13.4.1.13 of new Zoning By-Law Number 2022-062 to seek relief for the maximum density allowed. The density of the proposed development is 93.2 dwelling units per net hectare whereas the maximum density allowed in B and HCD3 Zone is 69 dwelling units per net hectare. The proposed development is located within Centres and Corridors, as shown on Schedule 2 of the Official Plan where intensification with greater densities of residential development is permitted. The property is also zoned B which allows multi-unit residential development. Additionally, the property is located within walking distance of commercial uses in Williamsville to the north and City Park to the south. As such, the proposed high-density residential use meets the locational criteria for high density residential development under Section 3.3.C.3 of the Official Plan.

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Minimum Lot Frontage:

A variance is requested from Section 13.4.1.2 from new Zoning By-Law Number 2022-062 to seek relief from the minimum lot frontage. The HCD3 Zone requires a minimum lot frontage of 10 metres. The existing zoning of the subject site does not require the minimum lot frontages. However, under the new Zoning By-Law Number 2022-062, the severed parcel will not meet the minimum lot frontage requirement by 0.8 metres. The proposed lots have been designed appropriately for the use of each. The surrounding neighbourhood contains a range of lot areas and frontages, and the proposed severance will not impact the existing lot fabric of the neighbourhood.

Maximum Building Depth:

A variance is requested from Section 13.4.1.13 from the new Zoning By-Law Number 2022-062 to seek relief from the maximum building depth. The HCD3 Zone limits the maximum building depth to 18 metres. The existing zoning of the subject site does not require the maximum building depth. However, under new Zoning By-Law Number 2022-062, the severed parcel will not meet the minimum lot frontage requirement by 1.8 metres. The proposed development's building depth that is contextual with the neighbourhood as the building depth matches the existing residential building to the west. Additionally, the building envelope complies with the required rear yard depth.

Projections into Yards, Minimum Setback from Interior Side Lot Line:

A variance is also required from Section 5.8 to seek relief for setback from interior side lot line for upper balconies. The proposed balconies in the front and the rear yard are more than 1.2 metres above the finished grade and do not meet the setback requirements for the 'B'. The proposed balconies will comply with the new Zoning By-Law where the required side yard depth is proposed to be 1.2 metres with no required aggregate side yard width. The proposed balconies are proposed to be used as private amenity spaces for the residents on the second floor. Design details will be finalized through the Site Plan Control process.

Projections into Yards, Minimum Setback from Front Lot Line:

A variance is also required from Section 5.8 to seek relief for projection into the front yard. The proposed balcony in the front yard is 3.5 metres from the front lot line, where the zoning by-law requires setback requirements for individual zones for balconies that are more than 1.2 metres above the finished grade. The front yard depth requirement for the property is 6.0 metres. As a result, relief of 2.5 metres is required to accommodate the proposed balcony in the second floor projecting into the required front yard space. The proposed upper balcony will comply with the new Zoning By-Law where the required front yard depth is proposed to be 3.5 metres. The proposed balcony is proposed to be used as a private amenity space for the resident on the second floor. Design details will be finalized through the Site Plan Control process.

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Balconies – Maximum Length:

Variances are requested from Section 4.20.1.2 of the new Zoning By-Law to seek relief from the maximum length for balconies. Under the new Zoning By-Law, the upper balconies will comply with the front yard depth and interior side yard width provisions but will exceed the maximum length allowed by up to 20%. The proposed balconies will be used as a private amenity space for the residents. Design details will be finalized through the Site Plan Control process.

3)The variance is minor in nature

The proposed variances provide for a compatible development that offers a wider range of unit types, in a location that supports higher density residential uses as the lands are already zoned B which allows multi-unit residential development. This application applies only to the subject lands and reflects the site-specific constraints. The variances are considered minor as there are no anticipated negative off-site impacts.

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

The proposed development will provide four new dwelling units within the City’s Urban Boundary on lands that are zoned for multi-unit residential development. The required setback variances result in a massing that is compatible with the adjacent existing land uses and is consistent with the existing character and scale of the neighbourhood. The variances are desirable and appropriate use of the land.

Technical Review: Circulated Departments and Agencies

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Building Division | <input checked="" type="checkbox"/> Engineering Department | <input checked="" type="checkbox"/> Heritage (Planning Services) |
| <input type="checkbox"/> Finance | <input checked="" type="checkbox"/> Utilities Kingston | <input type="checkbox"/> Real Estate & Environmental Initiatives |
| <input type="checkbox"/> Fire & Rescue | <input checked="" type="checkbox"/> Kingston Hydro | <input type="checkbox"/> City’s Environment Division |
| <input type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Parks Development | <input type="checkbox"/> Canadian National Railways |
| <input type="checkbox"/> Housing | <input checked="" type="checkbox"/> District Councillor | <input type="checkbox"/> Ministry of Transportation |
| <input type="checkbox"/> KEDCO | <input type="checkbox"/> Municipal Drainage | <input type="checkbox"/> Parks of the St. Lawrence |
| <input type="checkbox"/> CRCA | <input type="checkbox"/> KFL&A Health Unit | <input type="checkbox"/> Trans Northern Pipelines |
| <input type="checkbox"/> Parks Canada | <input type="checkbox"/> Eastern Ontario Power | <input type="checkbox"/> CFB Kingston |
| <input type="checkbox"/> Hydro One | <input type="checkbox"/> Enbridge Pipelines | <input type="checkbox"/> TransCanada Pipelines |
| <input type="checkbox"/> Kingston Airport | | |

Technical Comments

The applications were circulated to external agencies and internal departments for their review and comment and there were no comments or concerns raised that would preclude the applications 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.

May 16, 2022

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Public Comments

At the time this report was finalized, no public correspondence had been received. Any public comments received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

Previous or Concurrent Applications

There are no concurrent or relevant historic planning applications on the subject property. Site Plan Control application will be required to accommodate the proposed four-unit multi-residential development on site.

Conclusion

The proposal has regard to the matters under subsection 51(24) of the *Planning Act*, is consistent with the Provincial Policy Statement, conforms with all applicable policies of the Official Plan, is in keeping with the general intent and purpose of the zoning by-law and a plan of subdivision is not necessary for the proper and orderly development of the property, as such, is recommended for provisional approval.

Approval of the consent and minor variance applications will create on new parcel of land to construct a new four-unit multi-residential building and permit the existing detached single-family dwelling to remain on the retained parcel. The proposal represents good land use planning, and it aligns with Goal 2.1 of the Council Strategic Plan to pursue development of all types of housing city-wide through intensification and land use policies.

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

Existing Policy/By-Law:

The proposed applications were 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

May 16, 2022

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Zoning By-Law Number 8499

New Zoning By-Law Number 2022-062

Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on May 16, 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 14 days in advance of the meeting. In addition, notices were sent by mail to a total number of 39 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 (Exhibit L - Public Notice Notification Map).

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

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

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

InGi Kim, Planner, 613-546-4291 extension 3277

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Recommended Conditions – Minor Variance

Exhibit B Recommended Conditions – Consent

Exhibit C Key Map

Exhibit D Official Plan Map

Exhibit E Zoning By-Law Number 8499, Map 31

May 16, 2022

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- Exhibit F New Zoning By-Law Number 2022-062 Map
- Exhibit G Neighbourhood Context, 2021
- Exhibit H Concept Site Plan
- Exhibit I Concept Site Model
- Exhibit J Floor Plans
- Exhibit K Elevations
- Exhibit L Public Notice Notification Map
- Exhibit M Site Photos

Recommended Conditions

Application for minor variance, File Number D13-012-2022

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

1. Limitation

That the approved minor variance applies to the severed and retained parcels at 225 Johnson Street (D10-004-2022) and construction of a new four-unit multi-residential dwelling as shown on the approved drawings attached to the notice of decision.

2. No Adverse Impacts

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

3. Building Permit Application Requirements

The owner/applicant shall provide to the Building 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.

4. Standard Archaeological Condition

The City of Kingston is in receipt of an Archaeological Assessment for the property located at 225 Johnson Street prepared by Abacus Archaeological Services dated November 18, 2021. This report is on file with the Ministry of Heritage, Sport, Tourism and Culture Industries. The City has received and relies upon the report of the professional archaeologist as filed but reserves the right to require further reports should further evidence be uncovered.

The applicant may be required to further review the state of archaeological resources on the property depending on the recommendations of the report and subject to input and review from the Ministry of Heritage, Sport, Tourism and Culture Industries. The City shall not be restricted in its ability to determine requirements related to review, assessment and/or protection should archaeological

resources be found on site. Any costs arising from such requirements of the City or any other duly authorized Government body shall be borne solely by the applicant.

5. Utilities Kingston

Utilities Kingston will require a servicing plan showing any existing and proposed services. As per City of Kingston By-Laws only one service is permitted per property. Any existing services not being retained are required to be abandoned at the main(s).

6. Tree Preservation

If the severed lands are not subject to a Site Plan Control, the owner/applicant shall be required to acquire a tree permit in advance of any building permits to address tree preservation requirements.

Recommended Conditions

The provisional approval of consent application, File Number D10-004-2022, to permit the severance at 225 Johnson Street to result in one severed and one retained lot, is subject to the following recommended conditions below. The retained parcel is proposed to have an area of approximately 344 square metres with approximately 10.7 metres of frontage on Johnson Street. The existing detached single-family dwelling will remain on the retained parcel. The four-unit multi-residential building is proposed on the severed parcel which is proposed to have an area of approximately 430 square metres with approximately 9.2 metres of frontage on Johnson Street.

1. Certificate of Official and Deadline

That all conditions are satisfied and the Certificate of Official be presented to the Secretary-Treasurer, Committee of Adjustment for certification under Section 53(42) of the Planning Act, R.S.O. 1990 as amended, within one year of mailing of this notice. We suggest that the Land Registry Office be consulted for preapproval of the Certificate of Official to avoid delays.

The Certificate must be registered within two years from the issuance of the certificate as required under Section 53(43) of the Planning Act, R.S.O. 1990, as amended. A copy of the registered transfer certificate shall be provided to the Secretary-Treasurer, Committee of Adjustment to complete the file.

2. Reference Plan

That a digital version of a Reference Plan be provided in a PDF and AutoCAD Windows readable format on a compact disc (CD), USB memory stick or by email, illustrating the severed parcel be prepared and presented to the Secretary-Treasurer, Committee of Adjustment prior to the issuance of the Certificate of Official.

3. Payment of Taxes

The owner/applicant shall contact the Tax Department at tax@cityofkingston.ca and secure in writing from the Treasurer or the Manager of Taxation and Revenue, proof of payment of current taxes and any special charges (not simply a copy of the tax bill) required to be paid out and a statement of proof that is received and shall be provided to the Secretary-Treasurer Committee of Adjustment, prior to the issuance of the consent certificate. The owner/applicant must pay any outstanding realty taxes and all local improvement charges levied against the property.

4. Standard Archaeological Condition

The City of Kingston is in receipt of an Archaeological Assessment for the property located at 225 Johnson Street prepared by Abacus Archaeological Services dated November 18, 2021. This report is on file with the Ministry of Heritage, Sport, Tourism and Culture Industries. The City has received and relies upon the report of the professional archaeologist as filed but reserves the right to require further reports should further evidence be uncovered.

The applicant may be required to further review the state of archaeological resources on the property depending on the recommendations of the report and subject to input and review from the Ministry of Heritage, Sport, Tourism and Culture Industries. The City shall not be restricted in its ability to determine requirements related to review, assessment and/or protection should archaeological resources be found on site. Any costs arising from such requirements of the City or any other duly authorized Government body shall be borne solely by the applicant.

5. Civic Address

The owner/applicant shall contact the Planning Division once the Reference Plan has been deposited and provided to the City, and obtain a draft civic address for each new lot created and all appropriate fees shall be paid. The owner/applicant shall provide to the Secretary-Treasurer, Committee of Adjustment, written confirmation from the City that the civic address has been obtained prior to the issuance of the consent certificate.

6. Cash-In-Lieu of Parkland

In accordance with City of Kingston By-law 2013-107, the owner/applicant shall provide cash-in-lieu of parkland conveyance in the amount of \$2,048.15. The applicant may choose to pay the fee through their DASH application, provide a certified cheque or provide payment at the front desk at 1211 John Counter Boulevard, prior to the issuance of the consent certificate.

7. Utilities Kingston

Prior to the issuance of a “Certificate of official” it shall be necessary for the applicant to provide and for Utilities Kingston to approve a sketch showing all existing services and the mains they connect too, and the existing buildings and all proposed and existing property lines.

8. Tree Preservation

If the severed lands are not subject to a Site Plan Control, the owner/applicant shall be required to acquire a tree permit in advance of any building permits to address tree preservation requirements.

9. Associated Minor Variance

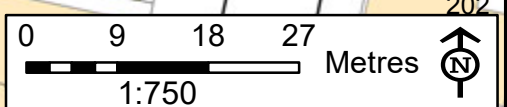
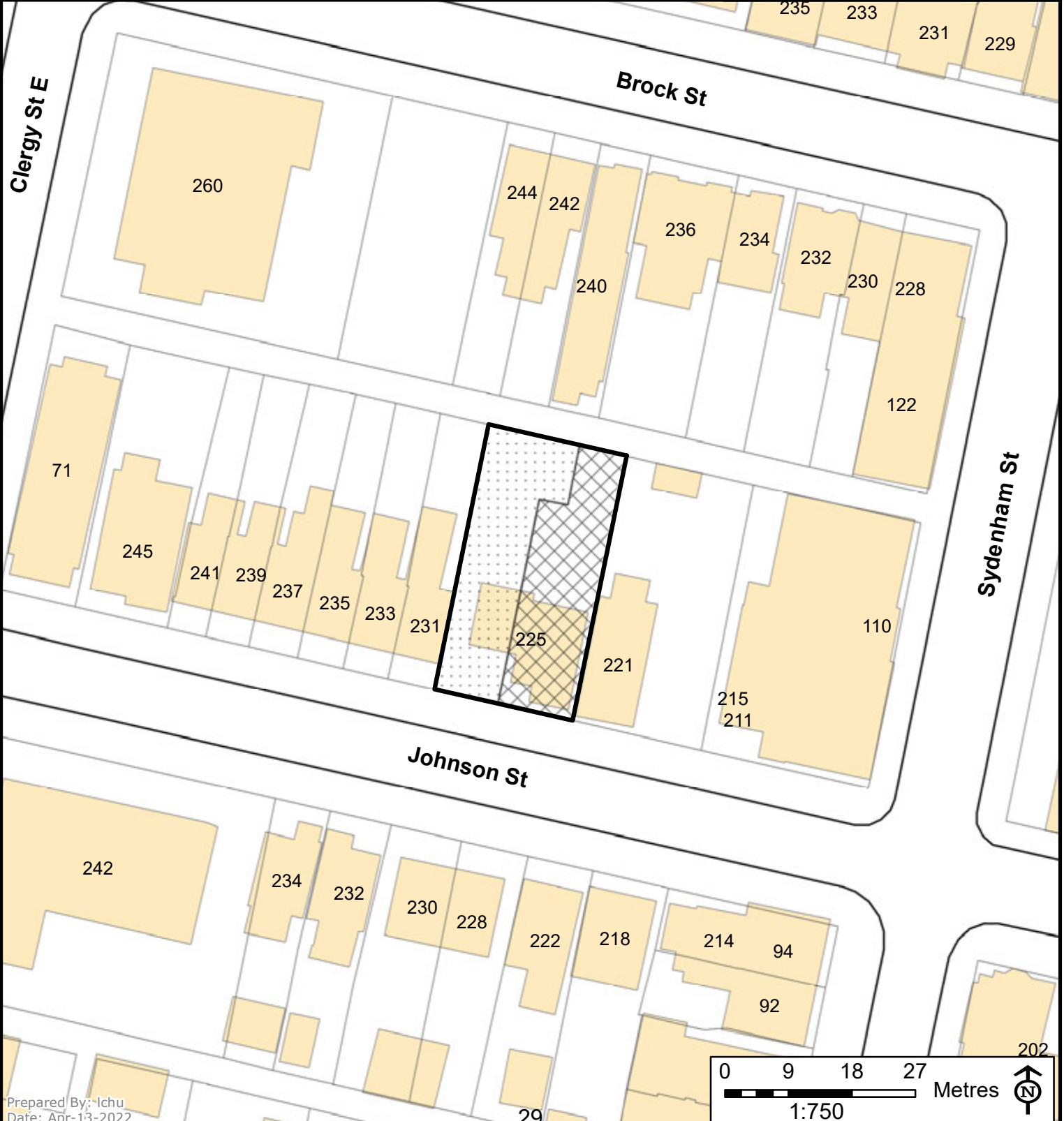
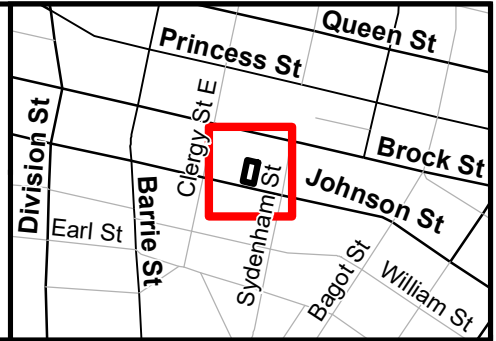
That associated Minor Variance Application D13-012-2022 is approved and all related conditions of approval are fulfilled.



Committee of Adjustment Key Map

Address: 225 Johnson Street
File Number: D10-004-2022 & D13-012-2022

- Subject Lands
- Severed Lands
- Retained Lands







Prepared By: Ichu
Date: Apr-13-2022

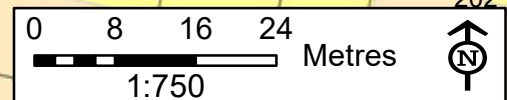
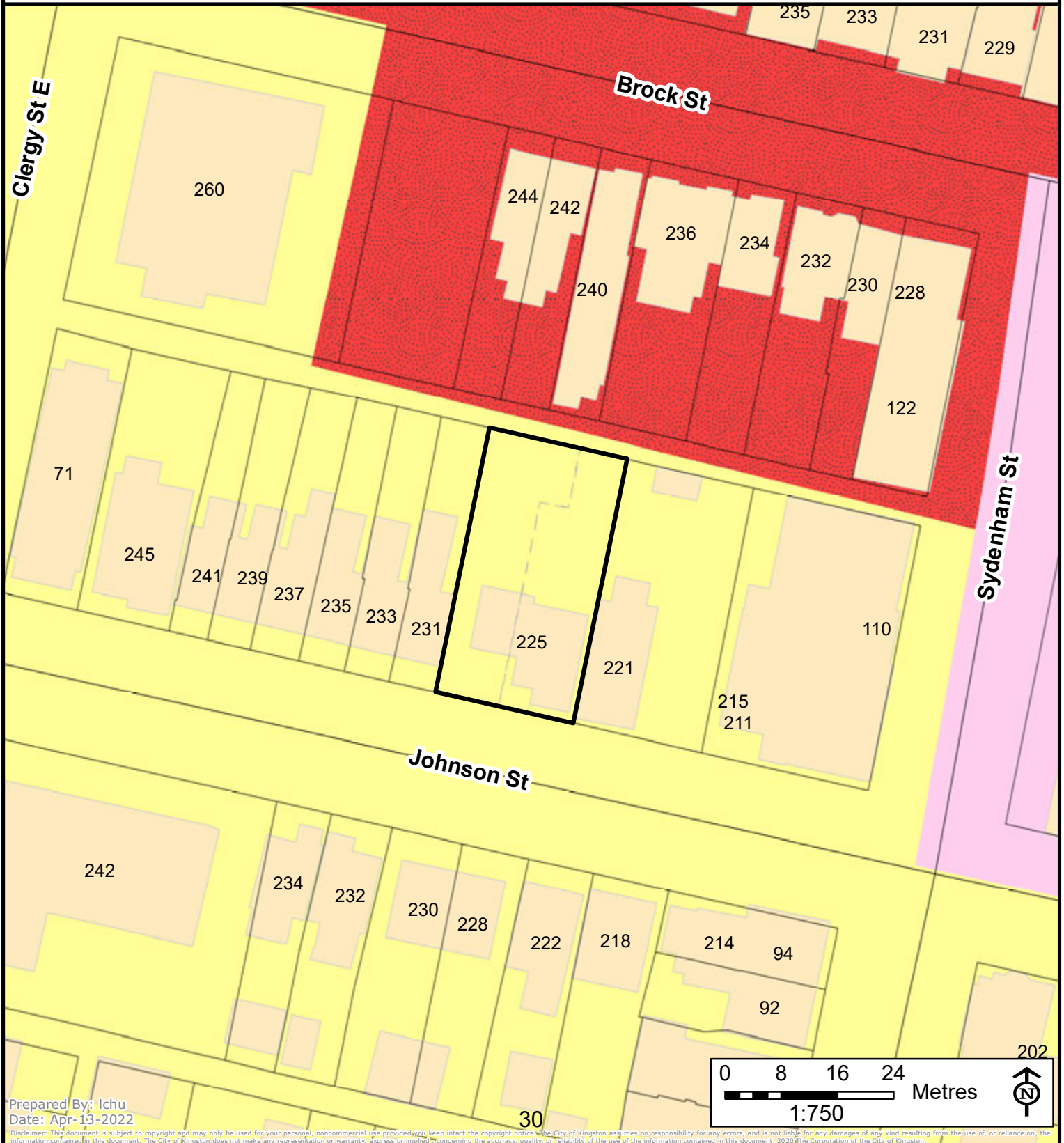
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Committee of Adjustment
Official Plan, Existing Land Use

Address: 225 Johnson Street
File Number: D10-004-2022 & D13-012-2022

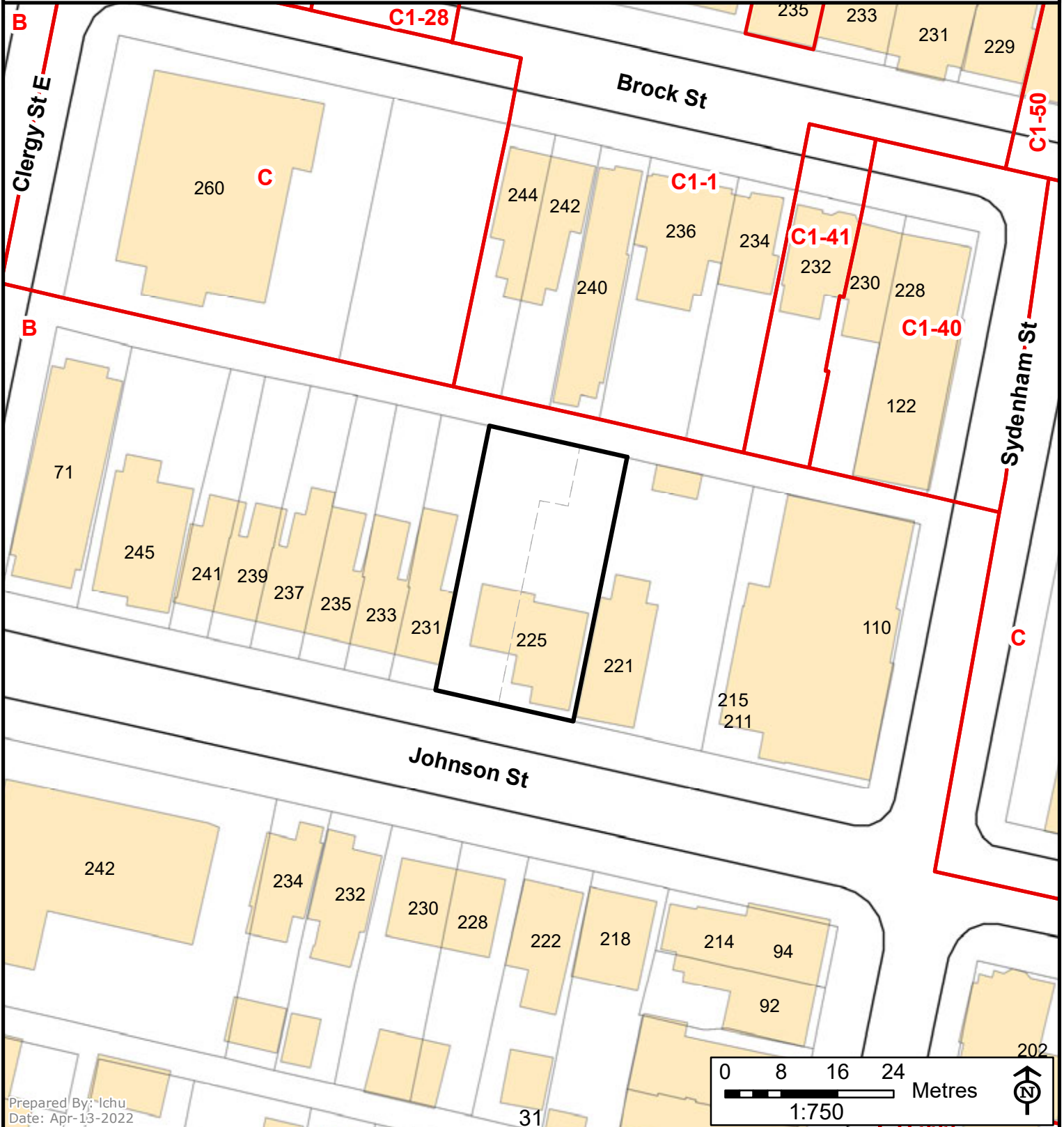
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-  CENTRAL BUSINESS DISTRICT
-  INSTITUTIONAL
-  RESIDENTIAL





Committee of Adjustment
Existing Zoning - By-law 8499, Map 31
Address: 225 Johnson Street
File Number: D10-004-2022 & D13-012-2022

- Subject Lands
- Consolidated Zoning



Prepared By: Ichu
Date: Apr-13-2022

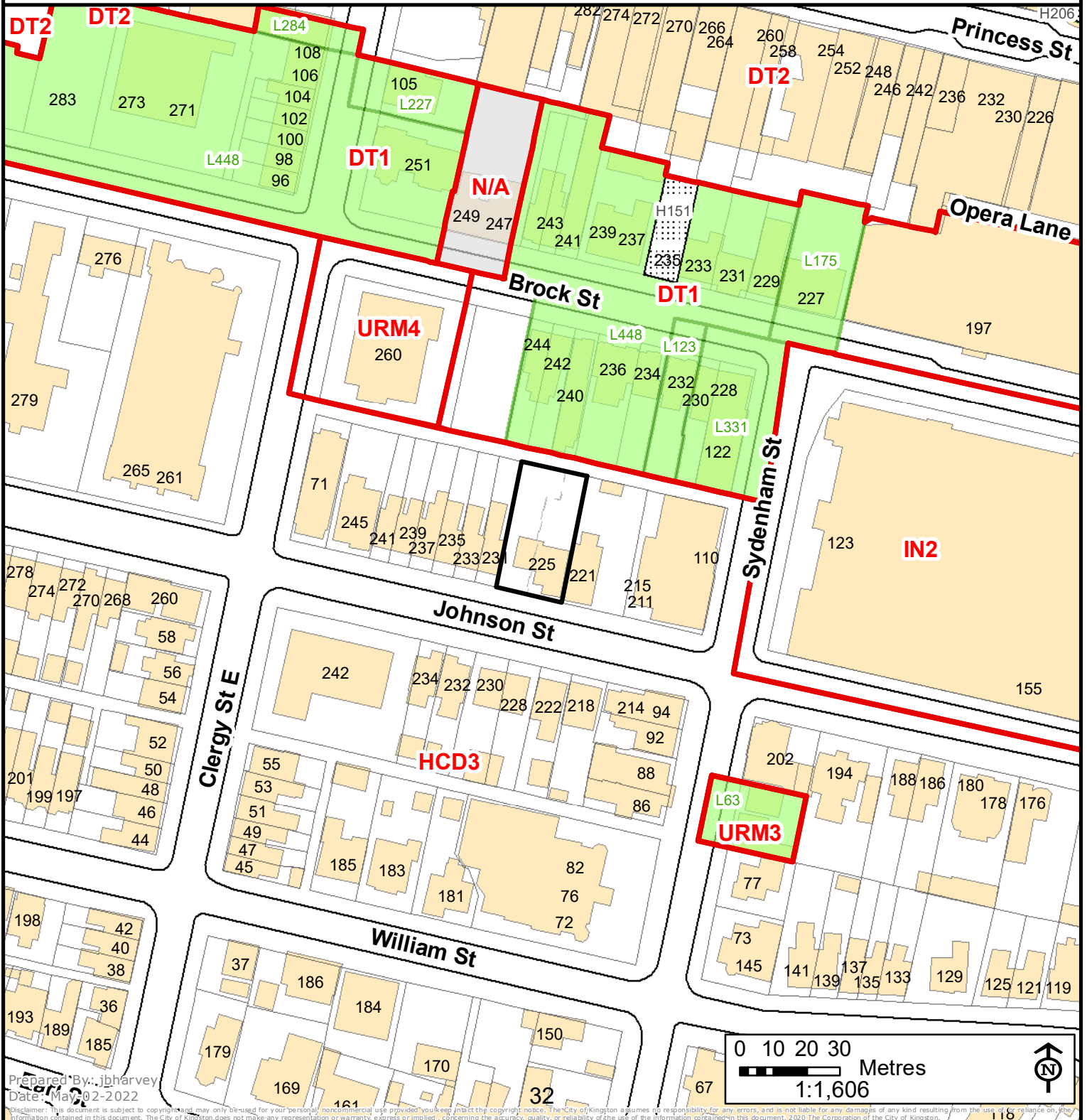
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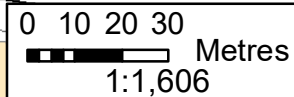
CITY OF KINGSTON
Reference Kingston Zoning Bylaw

File Number: D10-004-2022 & D13-012-2022
Addresses: 225 Johnson St

- Subject Lands
- Schedule 1 Zoning Map
- Zone
- Not Subject to the Kingston Zoning By-law
- Schedule E - Exception Overlay
- Legacy Exceptions (LXXX)
- Exceptions (EXXX)
- Schedule F - Holding Overlay
- Holding Overlay (HXXX)



Prepared By: jharvey
Date: May 2022

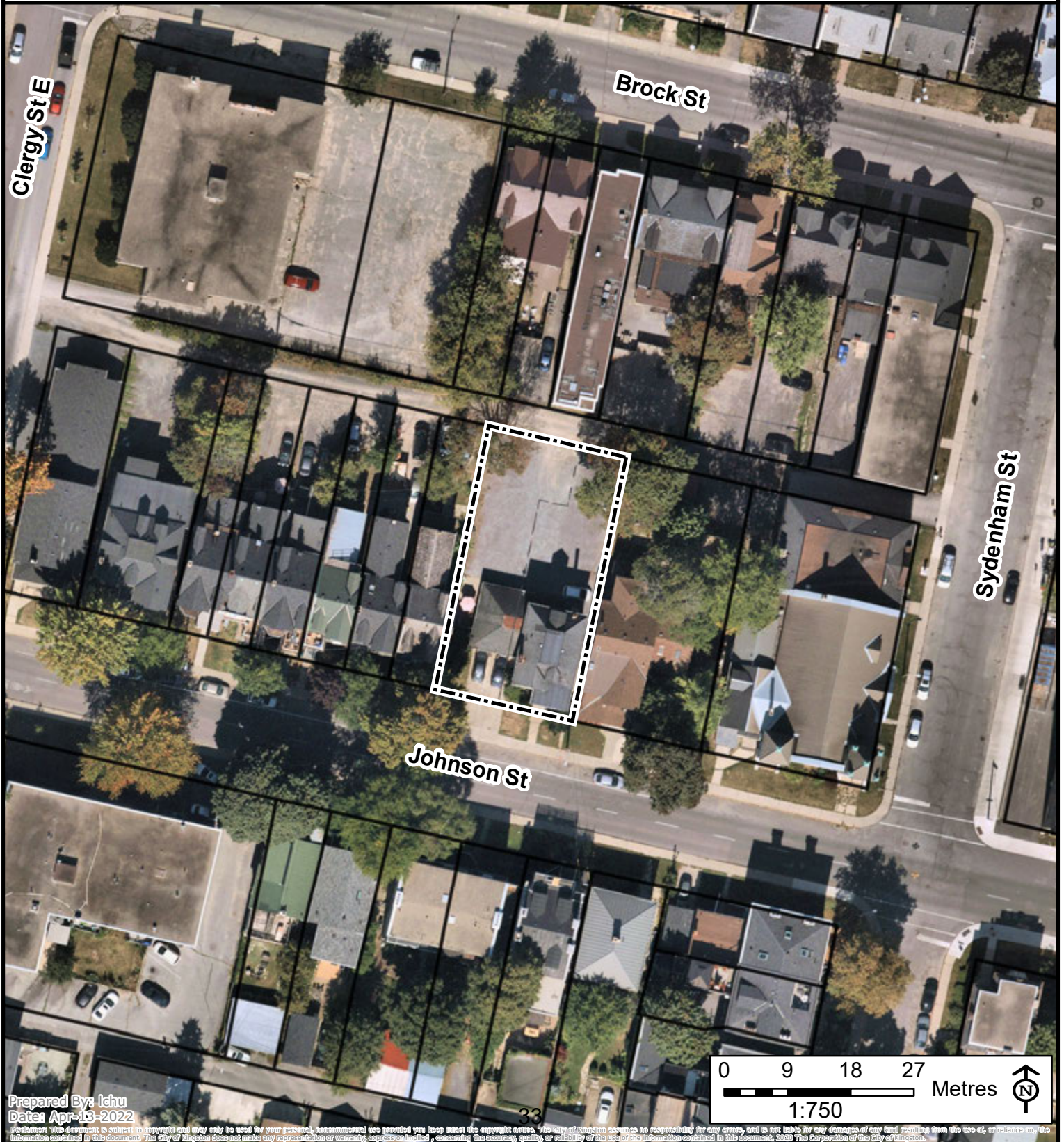




Committee of Adjustment
Neighbourhood Context (2021)

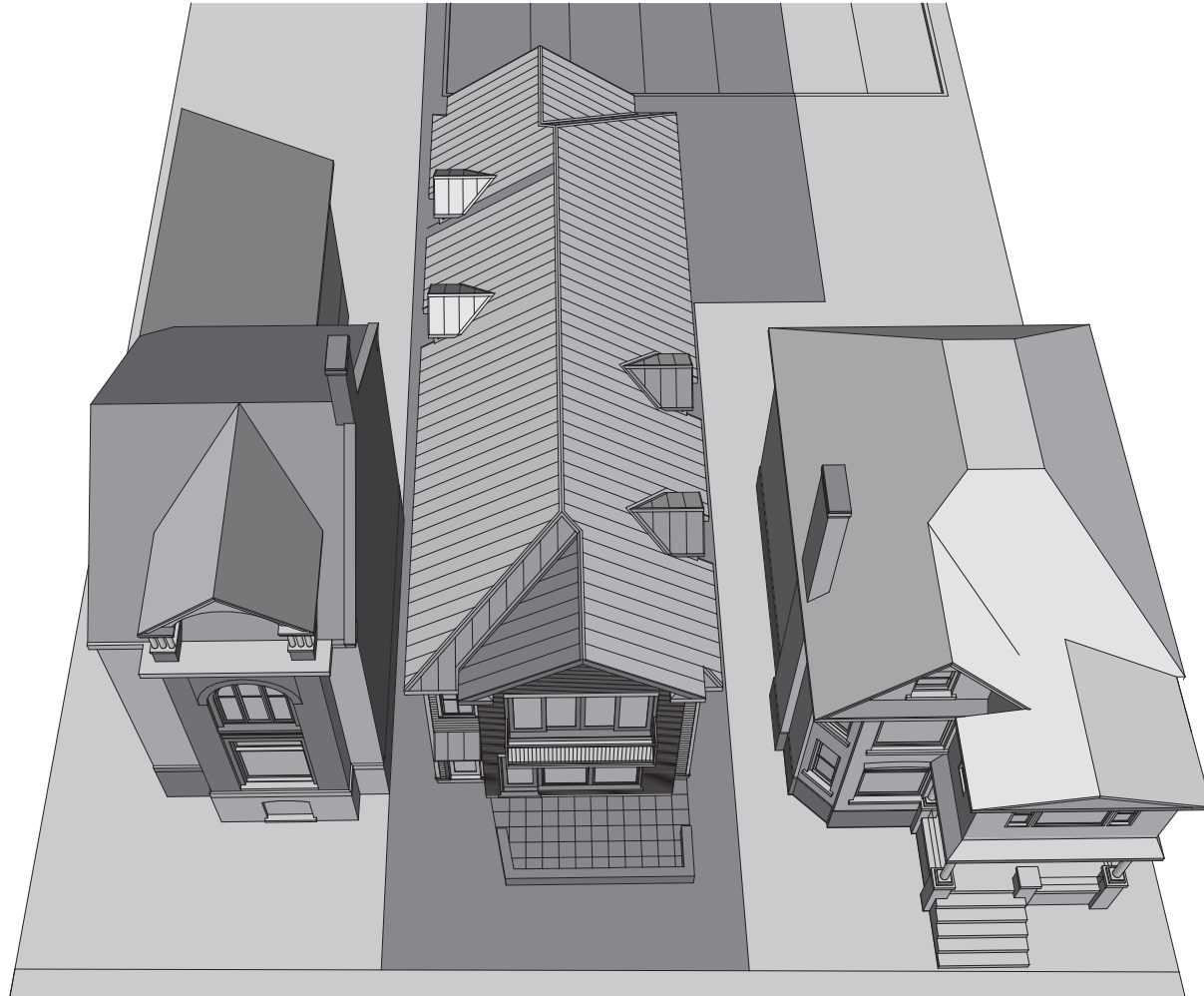
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File Number: D10-004-2022 & D13-012-2022

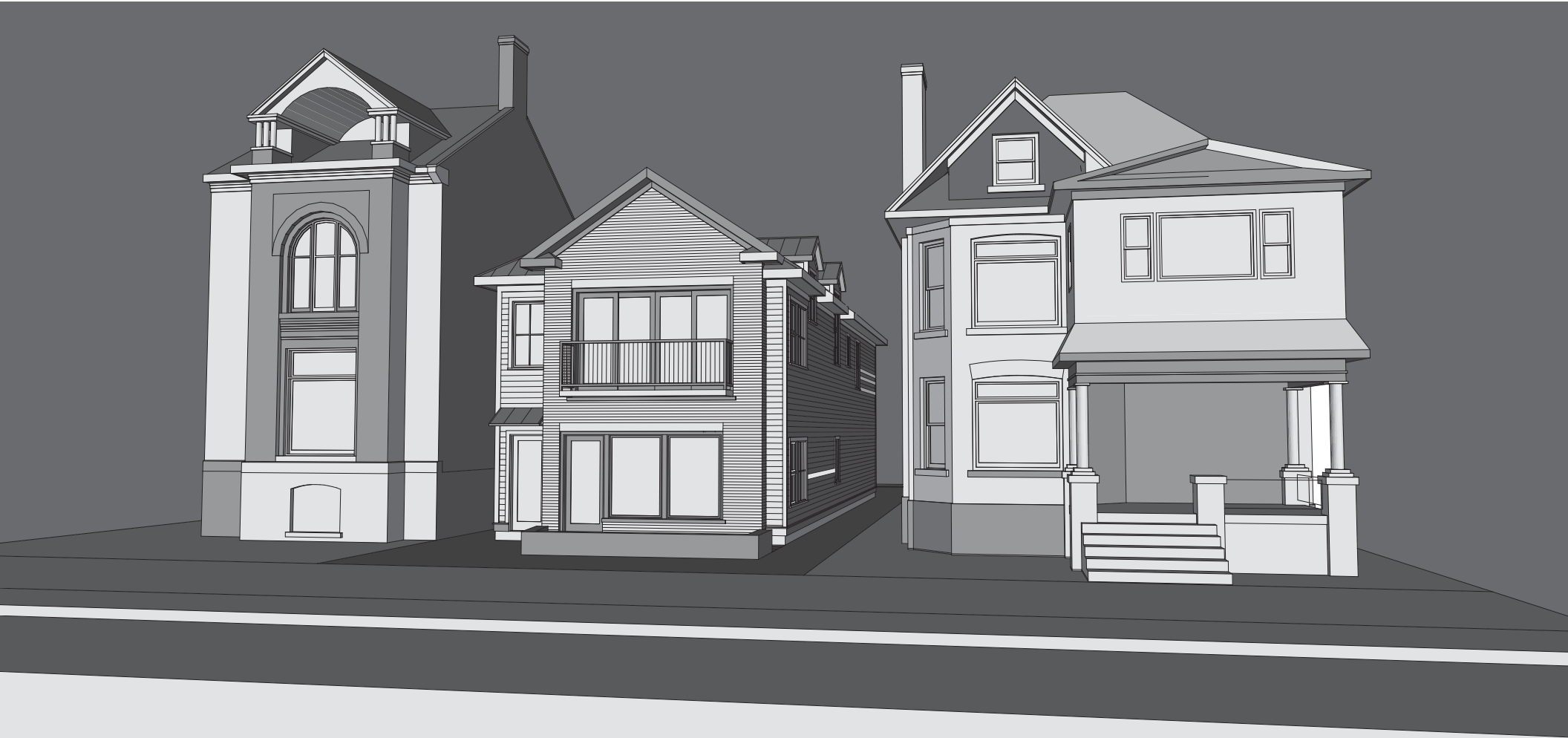
- Subject Lands
- Property Boundaries
- Proposed Parcels

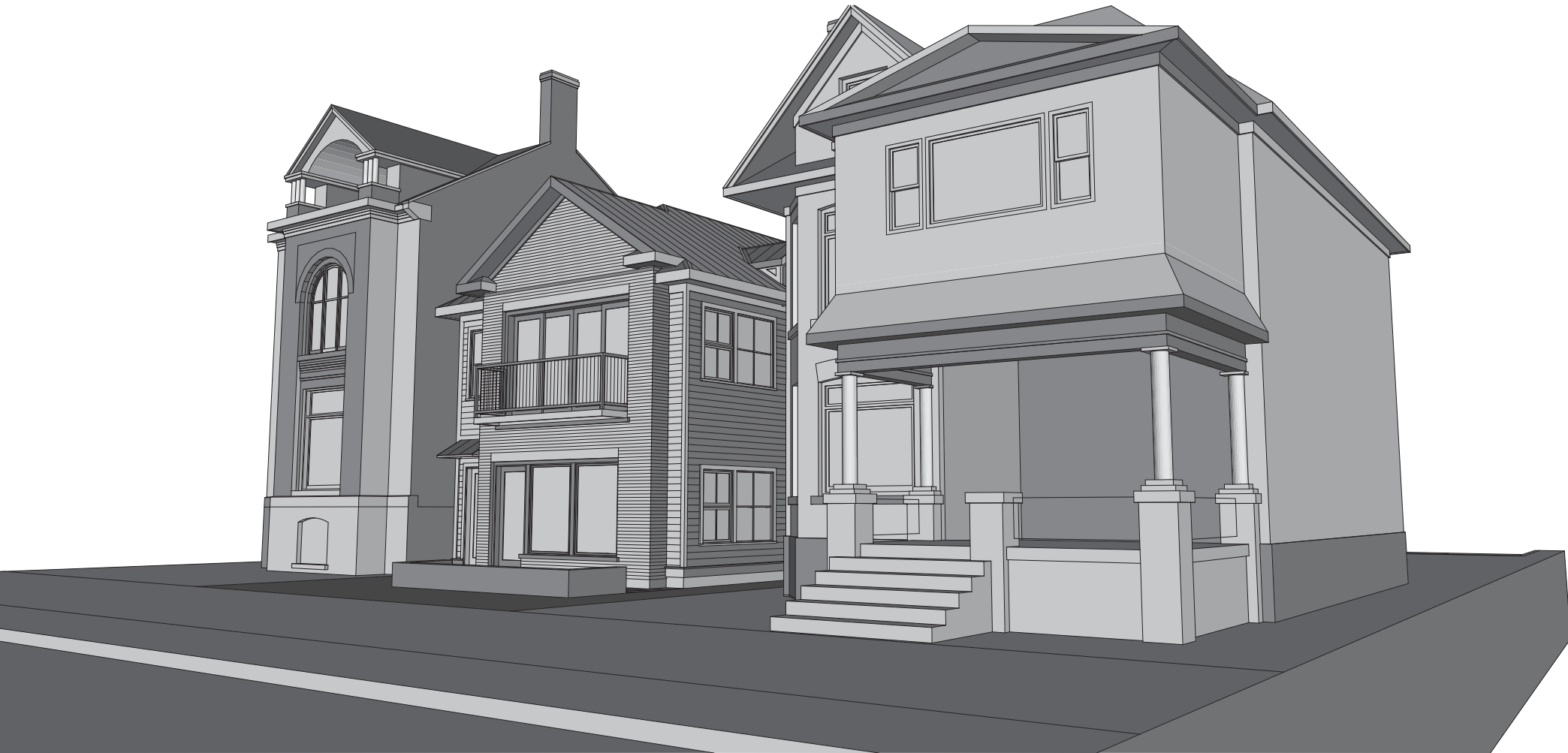


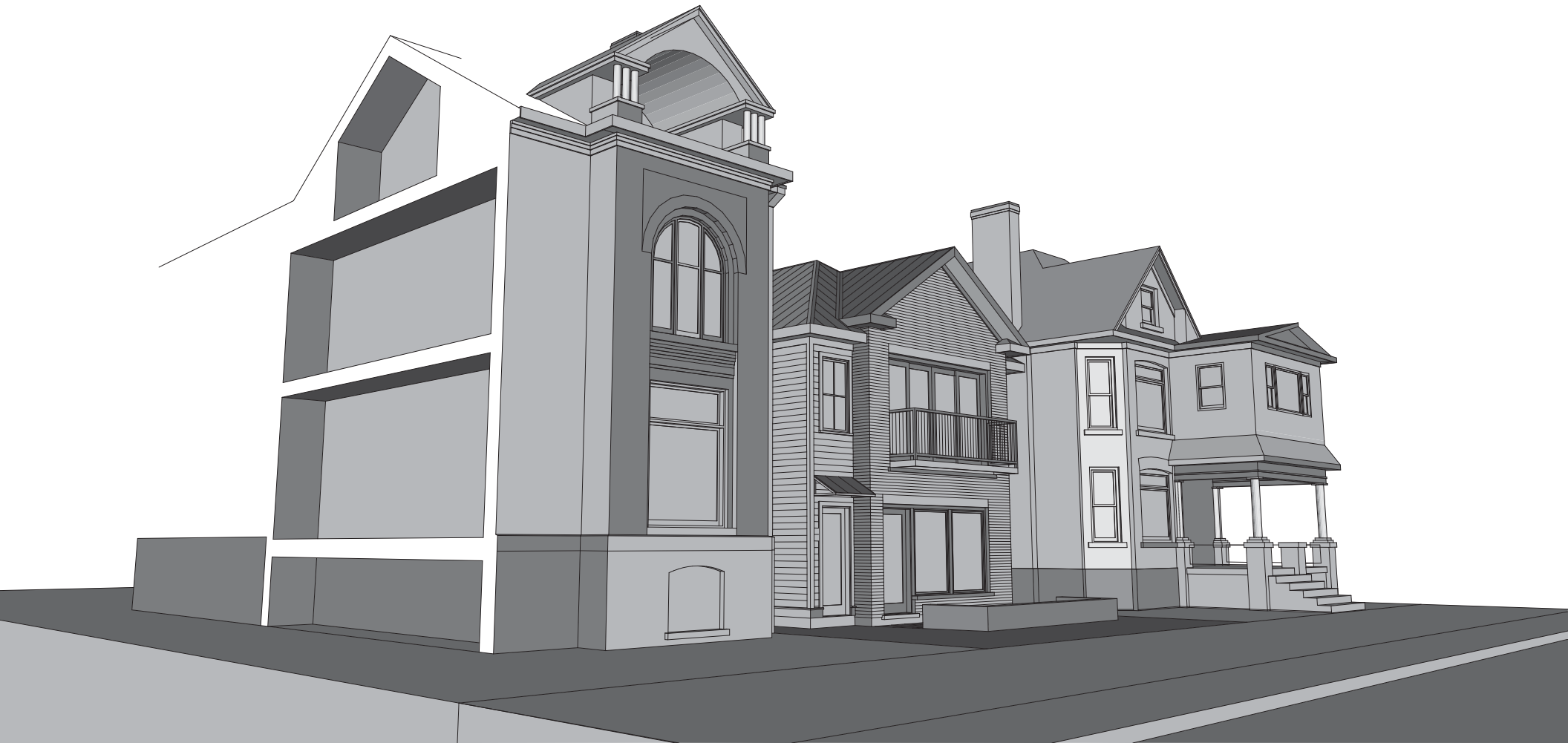
Prepared By: Ichu
Date: Apr-13-2022

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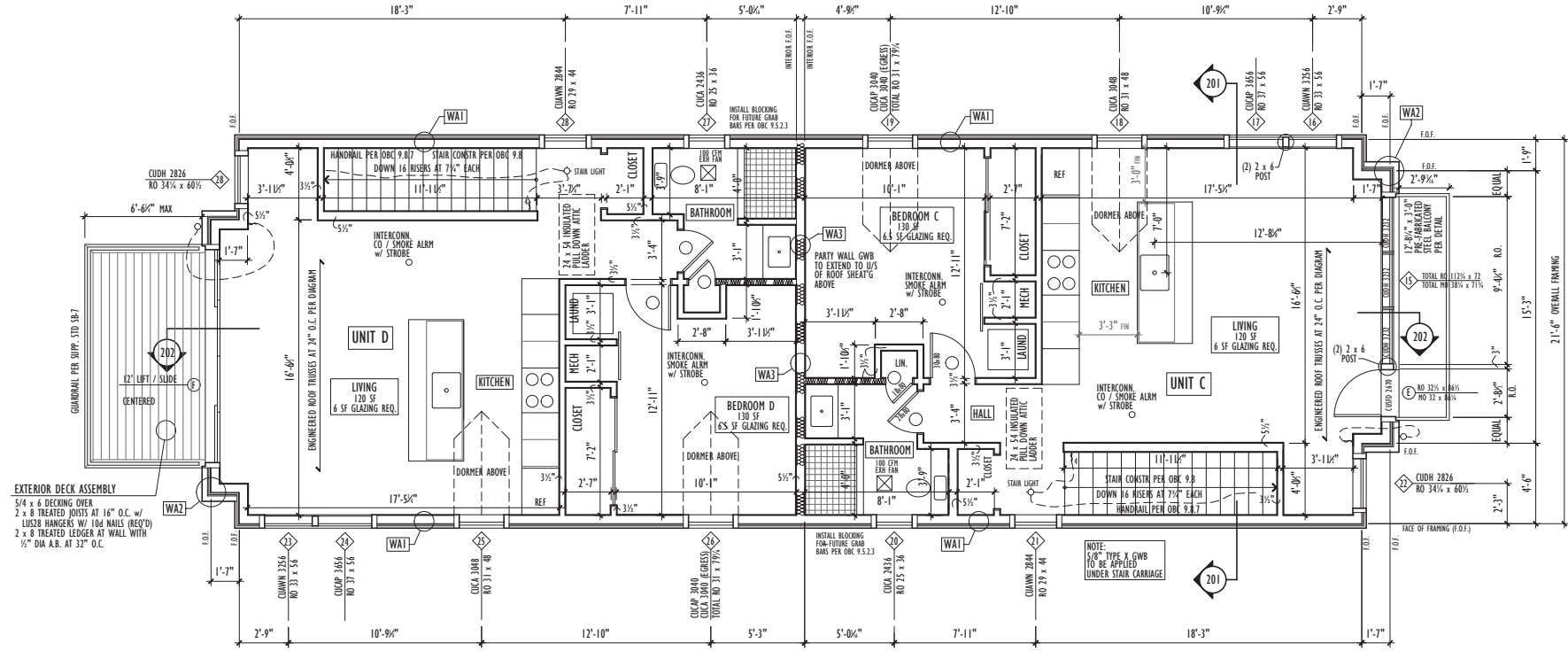








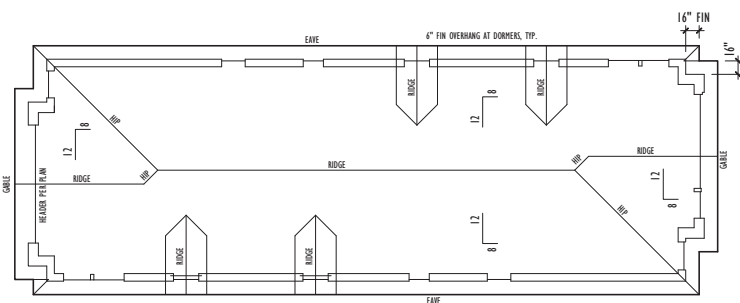
JOHNSON STREET SIDE



EXTERIOR DECK ASSEMBLY
5/4 x 6 DECKING OVER
2 x 8 TREATED POSTS AT 16" O.C. w/
LUS2 HANGERS w/ 10d NAILS (REQ'D)
2 x 8 TREATED LEDGER AT WALL WITH
1/2" DIA A.B. AT 32" O.C.

UPPER FLOOR PLAN

NOTES:
UNITS ARE IDENTICAL BUT REVERSED IN PLAN
DIMENSIONS SHOWN ARE TO FACE OF FRAMING
UNLESS OTHERWISE NOTED
ALL INTERIOR PARTITION WALLS: 2x AT 16" O.C. WOOD FRAME
w/ BLOCKING, WIDTH AS SHOWN



ROOF DIAGRAM

WALL ASSEMBLIES	
WAI	SOLID STAIN OR PAINTED WOOD CLAPBOARD SIDING OVER 1/2" STRAPPING AT 16" O.C. OVER CONTINUOUS WEATHER-RESISTANT BARRIER WRAP OVER R-5 CONTINUOUS INSULATION PANEL OVER 1/2" PLYWOOD STRUCTURAL SHEATHING OVER 2 x 4 AT 16" O.C. WOOD FRAME WALL WITH R-19 THERMAL INSULATION AND 1/2" GWB AND POLY VB AT INTERIOR
WA2	FULL BRICK LAYER w/ OPEN HEAD JOINT WEEP OVER 1" AIRSPACE OVER CONTINUOUS WEATHER-RESISTANT BARRIER WRAP OVER R-5 CONTINUOUS INSULATION PANEL OVER 1/2" PLYWOOD STRUCTURAL SHEATHING OVER 2 x 4 AT 16" O.C. WOOD FRAME WALL WITH R-19 THERMAL INSULATION AND 1/2" GWB AND POLY VB AT INTERIOR
WA3	5/8" TYPE "X" GWB EACH SIDE OVER 1/2" GWB EACH SIDE OVER 2x AT 16" O.C. WOOD FRAME WALL PER PLAN WITH ROXUL SAFE AND SOUND INSULATION
WA4	1/2" GWB EACH SIDE 2x AT 16" O.C. WOOD FRAME WALL PER PLAN WITH ROXUL SAFE AND SOUND INSULATION WHERE SHOWN

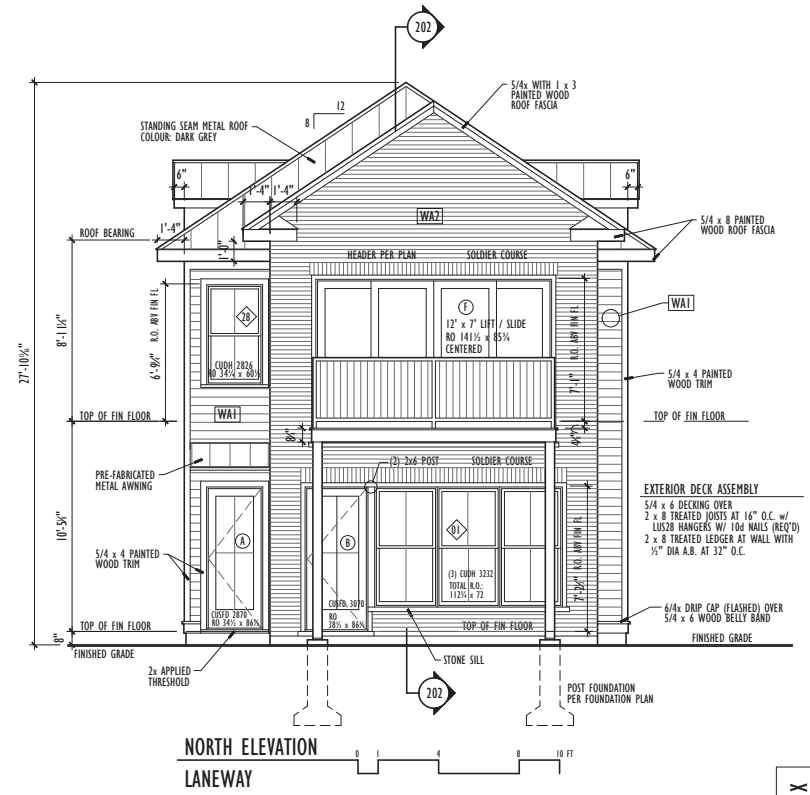
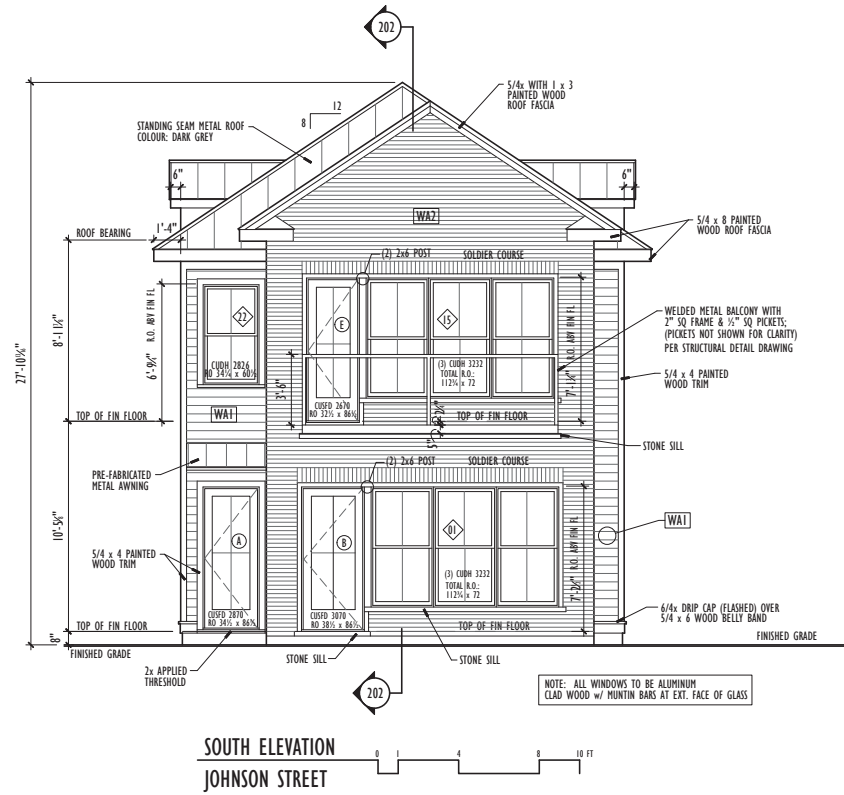
I, THE UNDERSIGNED, TAKE RESPONSIBILITY
FOR THESE DRAWINGS AND SEAL THERE
CORRECTLY.

NOTE:
THESE PLANS ARE A REPRESENTATION OF
THE PROPOSED BUILDING PROJECT,
ALTHOUGH TO SCALE, DRAWINGS SHOULD
NOT BE SCALED FOR CONSTRUCTION
PURPOSES. WRITTEN DIMENSIONS SHALL
ALWAYS TAKE PRECEDENCE OVER DIMENSIONS
MUST BE VERIFIED IN THE FIELD BY THE
CONTRACTOR AND ANY VARIATION IS TO
BE REFERRED WITH THE PROJECT DESIGNER
AND STRUCTURAL ENGINEER.

UPPER FLOOR PLAN

225 JOHNSON FOURPLEX

A-202



WALL ASSEMBLIES	
WA1	SOLID STAIN OR PAINTED WOOD CLAPBOARD SIDING OVER 1/2" STRAPPING AT 16" O.C. OVER CONTINUOUS WEATHER-RESISTANT BARRIER WRAP OVER R-5 CONTINUOUS INSULATION PANEL OVER 1/2" PLYWOOD STRUCTURAL SHEATHING OVER 2 x 6 AT 16" O.C. WOOD FRAME WALL WITH R-19 THERMAL INSULATION AND 1/2" GWB AND POLY IB AT INTERIOR
WA2	FULL BRICK LAYER w/ OPEN HEAD JOINT WEEP OVER 1" AIRSPACE OVER CONTINUOUS WEATHER-RESISTANT BARRIER WRAP OVER R-5 CONTINUOUS INSULATION PANEL OVER 1/2" PLYWOOD STRUCTURAL SHEATHING OVER 2 x 6 AT 16" O.C. WOOD FRAME WALL WITH R-19 THERMAL INSULATION AND 1/2" GWB AND POLY IB AT INTERIOR
WA3	5/8" TYPE 'X' GWB EACH SIDE OVER 1/2" GWB EACH SIDE OVER 2x AT 16" O.C. WOOD FRAME WALL PER PLAN WITH ROXUL SAFE AND SOUND INSULATION
WA4	1/2" GWB EACH SIDE 2x AT 16" O.C. WOOD FRAME WALL PER PLAN WITH ROXUL SAFE AND SOUND INSULATION WHERE SHOWN

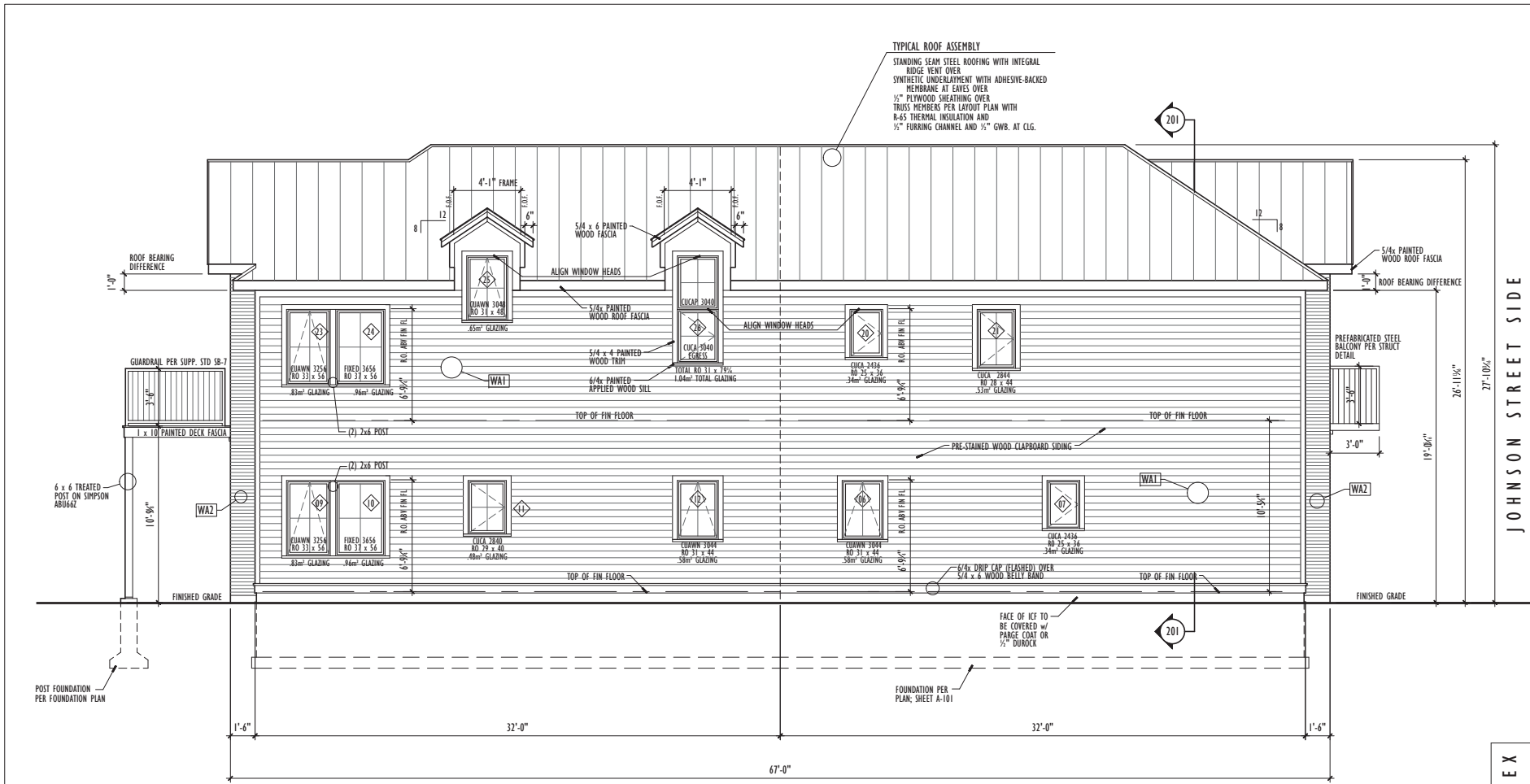
I, THE UNDERSIGNED, TAKE RESPONSIBILITY FOR THESE DRAWINGS AND HAVE BEEN CONFERRED.

NOTE: THESE PLANS ARE A REPRESENTATION OF THE PROPOSED BUILDING PROJECT. ALTHOUGH TO SCALE, DRAWINGS SHOULD NOT BE SCALED FOR CONSTRUCTION PURPOSES. WRITTEN DIMENSIONS SHALL ALWAYS TAKE PRECEDENCE. ALL DIMENSIONS MUST BE VERIFIED IN THE FIELD BY THE CONSTRUCTION AND ANY VARIATION IS TO BE REPORTED TO THE PROJECT DESIGNER AND STRUCTURAL ENGINEER.

BUILDING ELEVATION

A-401

225 JOHNSON FOURPLEX



TYPICAL ROOF ASSEMBLY
 STANDING SEAM STEEL ROOFING WITH INTEGRAL RIDGE VENT OVER
 SYNTHETIC UNDERLAYMENT WITH ADHESIVE-BACKED MEMBRANE AT EAVES OVER
 1/2" PLYWOOD SHEATHING OVER
 TRUSS MEMBERS PER LAYOUT PLAN WITH
 R-4.5 THERMAL INSULATION AND
 1/2" FURRING CHANNEL AND 1/2" GWR. AT CLG.

NOTE: ALL WINDOWS TO BE ALUMINUM CLAD WOOD w/ MUNTIN BARS AT EXT. FACE OF GLASS

MAXIMUM AREA OF GLAZED OPENINGS PER TABLE 9.10.15.4:
 MAXIMUM TOTAL EXPOSED BUILDING FACE: 117.24 m² (1262 SF)
 LIMITING DISTANCE: 4'-0" OR 1.22 m
 MAXIMUM ALLOWABLE AGGREGATE AREA OF GLAZING: 7% OF 117.24 m² OR 8.21 m²
 PROPOSED GLAZING THIS TOTAL BUILDING FACE: 6.9% OF 117.24 m² OR 8.12 m² OR



WALL ASSEMBLIES	
WAI	SOLID STAIN OR PAINTED WOOD CLAPBOARD SIDING OVER 1/2" STRAPPING AT 16" O.C. OVER CONTINUOUS WEATHER-RESISTANT BARRIER WRAP OVER R-5 CONTINUOUS INSULATION PANEL OVER 1/2" PLYWOOD STRUCTURAL SHEATHING OVER 2 x 6 AT 16" O.C. WOOD FRAME WALL WITH R-19 THERMAL INSULATION AND 1/2" GWR AND POLY VB AT INTERIOR
WAZ	FULL BRICK LAYER w/ OPEN HEAD JOINT WEEP OVER 1" AIRSPACE OVER CONTINUOUS WEATHER-RESISTANT BARRIER WRAP OVER R-5 CONTINUOUS INSULATION PANEL OVER 1/2" PLYWOOD STRUCTURAL SHEATHING OVER 2 x 6 AT 16" O.C. WOOD FRAME WALL WITH R-19 THERMAL INSULATION AND 1/2" GWR AND POLY VB AT INTERIOR

I, THE UNDERSIGNED, TAKE RESPONSIBILITY FOR THESE DRAWINGS AND DEEM THEM CORRECT.

NOTE: THESE PLANS ARE A REPRESENTATION OF THE PROPOSED BUILDING PROJECT. ALTHOUGH TO SCALE, DRAWINGS SHOULD NOT BE SCALED FOR CONSTRUCTION PURPOSES. WRITTEN DIMENSIONS SHALL ALWAYS TAKE PRECEDENCE. ALL DIMENSIONS MUST BE VERIFIED IN THE FIELD BY THE CONSTRUCTOR AND ANY VARIATION IS TO BE REFERRED WITH THE PROJECT DESIGNER AND STRUCTURAL ENGINEER.

BUILDING ELEVATION
A-403

JOHNSON STREET SIDE

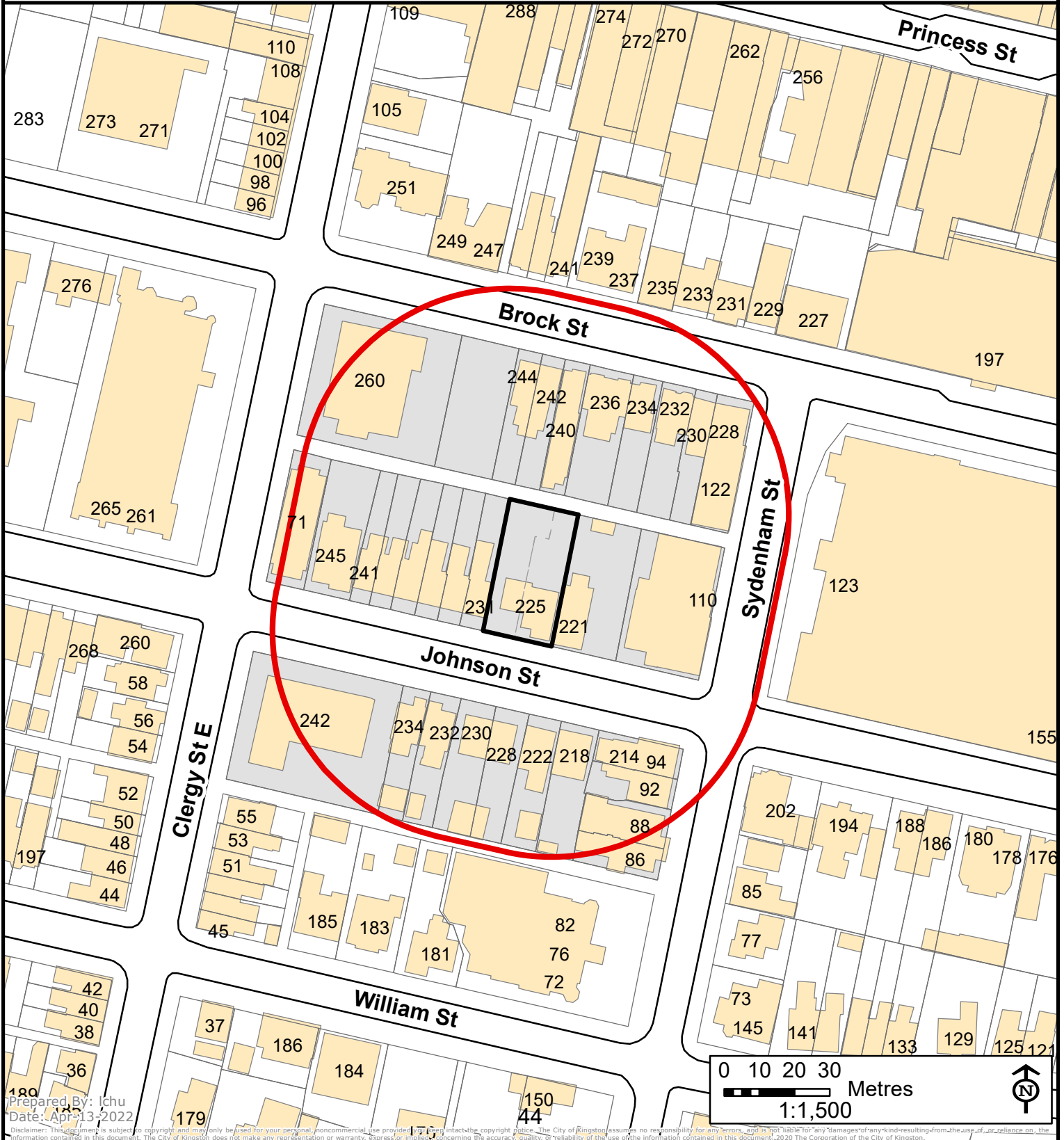
225 JOHNSON FOURPLEX



Committee of Adjustment Public Notice Notification Map

Address: 225 Johnson Street
File Number: D10-004-2022
& D13-012-2022

- 60m Public Notification Boundary
- Subject Lands
- Property Boundaries
- Proposed Parcels
- 31 Properties in Receipt of Notice (MPAC)



Prepared By: lchu
Date: Apr-13-2022

