



**City of Kingston
Report to Committee of Adjustment
Report Number COA-24-015**

To: Chair and Members of the Committee of Adjustment
From: Chris Booth, Senior Planner
Date of Meeting: January 22, 2024
Application for: Minor Variance
File Number: D13-068-2023
Address: 1177 Montreal Street
District: District 7 - Kingscourt-Rideau
Owner: James Peach
Applicant: Rogers & Trainor

Council Strategic Plan Alignment:

Theme: 1. Support Housing Affordability

Goal: 1.1 Promote increased supply and affordability of housing.

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variances for the property located at 1177 Montreal Street. The applicant is proposing to increase the permitted unit count from 130 residential units to 174, along with relief from the required parking on-site to permit a total of 104 resident parking spaces, and a reduction of the interior side yard setback from 7.0 to 6.0 metres for the 6-storey residential apartment proposed on the northeastern corner of the subject lands (known as Building B).

The requested minor variances are consistent with the general intent and purpose of both the City of Kingston Official Plan and Kingston Zoning By-Law Number 2022-62. 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.

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Recommendation:

That minor variance application, File Number D13-068-2023, for the property located at 1177 Montreal Street to increase the permitted unit count, reduce the parking requirement, and reduce the interior side yard setback for the northeastern apartment building, be approved, as described below:

Variance Number 1:

By-Law Number 2022-62: E117, Subsection (b) Building A, Subsection (iii)

Requirement: Maximum of 63 dwelling units

Proposed: Maximum of 85 dwelling units

Variance Requested: 22 dwelling units

Variance Number 2:

By-Law Number 2022-62: E117, Subsection (c) Building B, Subsection (iii)

Requirement: Maximum of 63 dwelling units

Proposed: Maximum of 85 dwelling units

Variance Requested: 22 dwelling units

Variance Number 3:

By-Law Number 2022-62: E117, Subsection (b) Building B, Subsection (v)

Requirement: Minimum setback of 7.0 metres to the western interior lot line

Proposed: Minimum setback of 6.0 metres to the western interior lot line

Variance Requested: 1.0 metre

Variance Number 4:

By-Law Number 2022-62: Table 7.1.1 (1) (a) (i)

Requirement: Minimum of 0.8 parking spaces per dwelling unit

Proposed: Minimum of 0.6 parking spaces per dwelling unit

Variance Requested: 0.2 parking spaces per dwelling unit; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-015.

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Authorizing Signatures:

ORIGINAL SIGNED BY PLANNER

Chris Booth, Senior Planner

In Consultation with the following Management of the Growth & Development Services Group:

Tim Park, Director, Planning Services

Meghan Robidoux, Supervisor, Development Approvals

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Options/Discussion:

On November 21, 2023, a minor variance application was submitted by Rogers & Trainor, on behalf of the owner, James Peach, with respect to the property located at 1177 Montreal Street.

A Zoning By-Law Amendment (File number D14-015-2021) for the subject lands was previously approved by Council on August 8th, 2023 ([Report Number PC-23-022](#)), which had the effect of transferring the lands into the Kingston Zoning By-Law and introducing Exception Number E117 to facilitate the development of two, six-storey apartment buildings each accommodating 63 units, and one, two-storey fourplex, for a total of 130 dwelling units on the site. Subsequently, when performing detailed design as part of the Site Plan Control application, the applicant found that a more efficient unit mix and layout was possible for the two apartment buildings. This proposal would see an additional 44 units spread evenly between the two apartment buildings, with each receiving 22 extra units for a total of 85 units per building. As such, a minor variance is requested to increase the permitted unit count on the subject lands from 130 residential units (as established in Exception Number E117) to 174 residential units.

The following table provides a breakdown of the number and type of housing units contemplated at the time of the rezoning as compared to that which is requested through the current proposal:

Unit Type	Previous Proposal	Current Proposal
Studio units	0	8
One-bedroom	58	44
One-bedroom plus den	2	54
Two-bedroom	62	48
Two Bed Plus Den	8	20
Total aggregate bedrooms	200	262
Total number of units	130	174

It should be noted that certain site components have not been fully designed, namely the proposed fourplex along Montreal Street, and these will be further refined during subsequent

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steps in the approval process, including Site Plan Control and Building Permit. As a result, a small margin of flexibility is reflected in Condition 7 within Exhibit A, which sets the maximum number of bedrooms at 270.

To facilitate the increased number of dwelling units, relief from the required parking is also being requested to allow parking at a rate of 0.6 spaces per unit (for a total of 104 spaces), rather than the current requirement under Exception E117 of a minimum of 0.8 parking spaces per unit (which would result in 140 parking spaces). As the proposed unit reconfiguration causes the footprint of the apartment buildings to lengthen slightly, a 1.0 metre reduction of the interior side yard setback is requested for the six-storey apartment located in the northeastern corner of the site (Building B), thereby altering the interior setback from 7.0 to 6.0 metres.

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

- Planning justification
- Conceptual Site Plan (Exhibit F)
- Building floor plans (Exhibit G)
- Servicing report and plan
- Survey plans
- Owner Authorization Letter

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

Site Characteristics

The subject property is located within the Rideau Heights neighbourhood and is comprised of three parcels (one of which is landlocked and does not have a civic address) known municipally as 1173 and 1177 Montreal Street (Exhibit B – Key Map). Totalling 1.5 hectares, the site has just over 30 metres of frontage along Montreal Street, which is a major north-south corridor within the urban boundary that is classified in Schedule 4 of the Official Plan as an arterial road. Both express and local transit service are provided on Montreal Street (Routes 801/802 and Route 1 respectively), and dedicated bike lanes exist alongside a sidewalk on both sides of the road. The property abuts low-rise residential properties to the north, south and west, and the CN railway to the east (Exhibit C – Neighbourhood Context Map). Residential apartments exist in close proximity to the south along the west side of Montreal Street, while Shannon Park – a major city park – and Rideau Heights Public School and community centre are approximately 200 metres to the west down MacCauley Street.

The site is currently vacant and heavily treed, its lands sloping downward from west to east. Its topography and location make it visible from the Rideau Canal, which is a designated UNSECO

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World Heritage Site. The Canal forms part of the Great Cataraqui River and associated Great Cataraqui Marsh, which sits near the base of the site, along the CN railway line.

The subject property is designated Residential in the Official Plan and is within the Montreal Street South of Greer Site Specific Policy Area, Schedule 3D (Exhibit D – Official Plan Map) and zoned URM2 in Kingston Zoning By-Law Number 2022-62 with Site Specific Exception E117 (Exhibit E – Zoning By-Law Map).

Provincial Policy Statement

In addition to the four tests of a minor variance detailed below, 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.

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 (Exhibit D – Official Plan Map). The property is located within the Montreal Street South of Greer Site Specific Policy Area, as set out in Schedule 3D (described in Section 3.17.5) which states that further Site Plan Control or zoning by-law amendments in the area must have regard for the policies set out in Section 3.17.4. These policies seek to ensure that site conditions (especially drainage) and proposed site and building design is adequately reviewed through the provision of assessments by qualified professionals. As the subject site underwent a zoning by-law amendment process in 2023, comprehensive and in-depth assessments were conducted as part of that process. A variety of studies by qualified professionals were submitted in support of the application and accepted by City staff (including archaeological, heritage, environmental, grading, geotechnical, stormwater management, servicing, vibration and noise), thereby demonstrating the suitability of the site for development. These policy requirements have therefore been met.

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 proposed development meets the Strategic Policy Direction of the Official Plan by proposing higher density residential development on an underutilized parcel within the Urban

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Boundary. Making better use of a vacant property along Montreal Street will help the Municipality maximize its infrastructure investments, foster increased use of the public transit system, and encourage active transportation along existing cycle lanes. Site design has considered surrounding heritage features and the changes proposed have been deemed suitably minor as to warrant a minor variance as opposed to a new zoning by-law amendment.

Promoting intensification is a significant focus of the Plan, and the City has provided further support and direction through important work such as the Mayor's Task Force on Housing, which produced a final report entitled "A Foundation for the Public Good: Recommendations to Increase Kingston's Housing Supply for All." The goal of this work was to make recommendations that would help increase the supply of a diverse range of housing, and suggested that local planning decisions take into account the City's housing needs.

This report provides a helpful lens through which to review the Official Plan's residential density targets for major residential infill projects (which are to provide at least 37.5 units per hectare). With the Official Plan now being six years old, the above-noted study provides support for enabling additional density well beyond the Plan's stated minimum targets. The proposal on the subject lands would raise the approved density of 84 units per hectare to 110 units per hectare, which helps fulfil not only the intent of the Plan, but addresses the more recent housing crisis being experienced in Kingston. Given the additional density being proposed, it was necessary for water and sanitary services to be assessed, and so an updated servicing report and plan was supplied by the Applicant and accepted by Utilities Kingston.

The Official Plan establishes informative parameters to provide for responsible growth and ensure that density is provided in a functional and compatible manner. Through specific site-design choices such as locating the six storey buildings on portions of the site that are at lower elevations, the impact of the buildings on existing homes along Montreal Street (which is at a higher elevation) is reduced. Furthermore, the proposed apartment buildings are set as far back on the site as possible, while still adhering to allowable setbacks from the CN railway. The proposal seeks to remain in keeping with the established character along Montreal Street by siting a two-storey four-unit building along the road. The proposed minor variance would not result in any height increases, and only a slight lengthening of each six-storey building, thus ensuring they remain compatible with surrounding properties.

The site is proposed to take access from Montreal Street via a private road, and residents would have access to 104 vehicular parking spaces, 10 visitor parking spaces, 2 car-share parking spaces, 186 long-term bike parking spaces, and 17 short term bike parking spaces. While no additional vehicular parking is proposed for the additional 44 housing units (which would see the parking ratio change from 0.87 to 0.6 spaces per unit), the reduction is offset by an increased amount of long-term bike parking (186 spaces compared to 157 required by the Kingston Zoning By-law). A reduction in parking is supported by an updated Traffic Impact Study, which found that the project would integrate well with the transportation network, and that there would be no need for off-site road modifications.

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Furthermore, the proposed supply of parking is supported by the results of the City's 2019 Household Travel Survey, which found the Rideau Heights neighbourhood to have higher rates of cycling (nearly 4% of all trips) and public transit use (nearly 10% of all trips) than many other areas of the City. The site is fortunate to benefit from local and express buses operating along Montreal Street, along with cycling lanes on both sides of the road, affording residents quick and easy access to alternate modes of travel. Such convenience makes it more likely that residents will use these options, thus reducing the need for automobiles and the associated parking. While overall parking supply may be reduced, the number of barrier free stalls is not, with eight spaces being provided as per the Kingston Zoning By-law.

It is also worth noting that while not required, the Applicant is proposing an additional two visitor parking spaces. Given certain site constraints, the Applicant is still working with City staff to finalize the exact location of these spaces, a process which will be concluded through the Site Plan Control process. Three potential locations are currently being explored, and are depicted in Exhibit F.

Reductions in parking were also supported by Parks Canada, who reviews impacts to the UNESCO-designated Rideau Canal and sought to ensure that surface parking did not detract from the visual character of the riverside. The Official Plan requires development to mitigate impacts to the City's heritage areas, and City Heritage Staff also reviewed the proposal. As the proposed changes do not significantly alter the previously approved site layout, the minor variance is supportable and further refinement can take place at the stage of Site Plan Control, if necessary.

A review of the proposal has found the changes to be of low impact, thus making a minor variance a suitable mechanism through which to facilitate development as compared to a zoning by-law amendment. Most of the proposed density and site design were reviewed and approved via a robust zoning by-law amendment process, which culminated in approval by City Council in August 2023. With changes to the building footprint being minimal, and no changes to the overall site design, there is little in the way of visual change. The severity of the change was therefore primarily an assessment of the impact of adding 44 additional units from a traffic and servicing perspective. The submission of the Traffic Impact Study showed there to be no additional impact, and the servicing report and plan demonstrated that 44 new units could be supported. Given these conclusions, another zoning by-law amendment would be a lengthy and costly burden to place on the developer, further exacerbating the city's housing and affordability crisis.

Given the site-specific nature of these assessments and the previous zoning by-law amendment that took place, approval of this minor variance would not create an undesirable precedent for the area. Recommended conditions have been provided for the Committee's consideration and are included in Exhibit A of this report.

The proposal therefore meets the intent of the Official Plan, as the proposed increase to the permitted unit count from 130 residential units to 174, along with relief from the required parking to allow 104 resident parking spaces, and a reduction of the interior side yard setback from 7.0

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to 6.0 metres for Building B 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 URM2, with Exception E117 in Kingston Zoning By-Law Number 2022-62 (Exhibit E – Zoning By-Law Map). The URM2 zone permits apartment buildings subject to certain provisions.

The applicant is seeking variances to the following zone provisions to provide for the proposed 44 additional dwelling units:

Variance Number 1:

By-Law Number 2022-62: E117, Subsection (b) Building A, Subsection (iii)

Requirement: Maximum of 63 dwelling units

Proposed: Maximum of 85 dwelling units

Variance Requested: 22 dwelling units

Variance Number 2:

By-Law Number 2022-62: E117, Subsection (c) Building B, Subsection (iii)

Requirement: Maximum of 63 dwelling units

Proposed: Maximum of 85 dwelling units

Variance Requested: 22 dwelling units

Both variances number 1 and 2 relate to the maximum number of dwelling units. As the URM2 zone does not contain a limit on density, Exception E117 established a maximum unit count for each building that was previously approved through the related zoning by-law amendment. As the exception forms part of the Kingston Zoning By-law, the proposed minor variance should be assessed according to the purpose and intent of the amendment as well as the broader by-law. The purpose and intent of Exception E117 was to allow apartments at a much higher density than what was allowed through the former B1.226 zoning established under Zoning By-law 8499 (being 27 units per hectare). Given the standard URM2 zone does not identify a unit limit, the amendment established one for the purpose of ensuring responsible and orderly development. The minor variance is in keeping with the purpose and intent of this approach by ensuring a limit continues to remain, and that it is supported by appropriate studies.

Furthermore, the Kingston Zoning By-law seeks to ensure that higher density development occurs in conjunction with the provision of suitable amounts of amenity space at the rate of 18.5 square metres per dwelling unit. With more than 5,517 square metres of amenity area proposed on the subject site, the proposed minor variance to add 44 dwelling units would significantly exceed the required 3,219 square metres. The proposal therefore meets the purpose and intent of the Kingston Zoning By-law in ensuring residents have abundant recreation opportunities onsite, and even goes a step further by providing both indoor and outdoor space.

Variance Number 3:

By-Law Number 2022-62: E117, Subsection (b) Building B, Subsection (v)

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Requirement: Minimum setback of 7.0 metres to the western interior lot line
 Proposed: Minimum setback of 6.0 metres to the western interior lot line
 Variance Requested: 1.0 metre

This variance pertains to the required interior side yard setback. Setbacks from neighbouring properties are established for the purpose of ensuring that there are no adverse impacts to privacy, as well as ease of maintenance around the sides of a building, and adequate fire separation (which is further complemented by, and enforced through, the Ontario Building Code). The proposed one metre reduction still affords a functional setback area, and there is still adequate room for landscaping. Impacts to privacy from overlook are effectively mitigated due to the building's orientation, and the depth of the adjacent residential properties.

Variance Number 4:

By-Law Number 2022-62: Table 7.1.1 (1) (a) (i)

Requirement: Minimum of 0.8 parking spaces per dwelling unit
 Proposed: Minimum of 0.6 parking spaces per dwelling unit
 Variance Requested: 0.2 parking spaces per dwelling unit; and

This variance pertains to the amount of required standard parking spaces. While parking is required for residential development in this area of Kingston at the rate of 0.8 to 1.0 parking space per unit under the Kingston Zoning By-Law, the City continues to transition to lower parking requirements when it is demonstrated to be appropriate. This transition stems from the City's 2021 discussion paper entitled [The Power of Parking: A new Parking Paradigm for Kingston \(Report Number PC-21-040\)](#). The paper explores the impacts of parking (which include significantly higher building costs that subsequently contribute to more expensive housing) and recommends new paths forward that emphasize greater use of alternative modes of transportation, such as public transit and cycling. The Kingston Zoning By-law introduced in 2022 implemented many of these recommendations, but further reductions can be achieved when certain conditions are met – namely the presence of existing public transit and cycling infrastructure.

As previously described, the subject site is in close proximity to express and local transit, and dedicated bicycle lanes on Montreal Street. The proposal takes advantage of this infrastructure and compensates for the reduction in automobile parking by providing 29 more long-term bike parking spaces than are required. This supports the purpose and intent of the Zoning By-law in ensuring new development makes use of, and is easily accessed through, surrounding transportation infrastructure (whether that be roads, transit routes, or cycle lanes). The proposal therefore provides a balance of automobile and bike parking and makes public transit an attractive and viable option.

The reduction is further informed by heritage considerations from the nearby UNESCO-designated Rideau Canal, and is supported by Parks Canada, who is tasked with maintaining that designation and mitigating potential threats. Reductions in parking were expressly desired and necessary to ensure their support.

The requested variance maintains the general intent and purpose of the zoning by-law.

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3) The variance is minor in nature

The variance is considered minor as the subject site was already rezoned to accommodate a high-density residential development and the addition of 44 new units is not anticipated to increase the impacts beyond what was assessed and approved in the rezoning. Through a review by City staff, the added density merely warranted updates to existing studies, as opposed to comprehensive new reports. Furthermore, those updates did not find there to be a need for any upgrades to surrounding infrastructure to accommodate the density, thereby making it suitably minor.

The subject site’s location makes the addition of this new density more palatable, owing to its location along a major arterial hosting local and express transit routes as well as two-way cycling infrastructure. Surrounding water and sanitary services have also been deemed sufficient, and where density can be supported in these ways, the impacts of new units is less likely to be felt and perceived, making such site modifications suitably minor.

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

The proposed minor variance would see a currently vacant and well-serviced parcel of land within the City’s urban limits better utilized. The site has already undergone a rezoning process through which high density residential proposal was deemed appropriate for the land, and the addition of further density is supported by existing services and transportation infrastructure. As the 44 new units would be contained within the two apartment buildings and not result in any significant changes beyond a slight lengthening of each building, the increase will be compatible with the surroundings. The proposed minor variance will be a helpful step towards addressing Kingston’s current housing crisis, and is a desirable and appropriate use of the land.

Technical Review: Circulated Departments and Agencies

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| <input checked="" type="checkbox"/> Building Services | <input checked="" type="checkbox"/> Engineering | <input checked="" type="checkbox"/> Heritage Services |
| <input type="checkbox"/> Finance | <input checked="" type="checkbox"/> Utilities Kingston | <input type="checkbox"/> Real Estate |
| <input checked="" type="checkbox"/> Fire & Rescue | <input checked="" type="checkbox"/> Kingston Hydro | <input checked="" type="checkbox"/> Environment Division |
| <input type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Parks Development | <input checked="" type="checkbox"/> Canadian National Railways |
| <input type="checkbox"/> Housing | <input checked="" type="checkbox"/> District Councillor | <input type="checkbox"/> Ministry of Transportation |
| <input type="checkbox"/> KEDCO | <input type="checkbox"/> Municipal Drainage | <input type="checkbox"/> Parks of the St. Lawrence |
| <input checked="" type="checkbox"/> CRCA | <input type="checkbox"/> KFL&A Health Unit | <input type="checkbox"/> Trans Northern Pipelines |
| <input checked="" 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		
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Technical Comments

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

Public Comments

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

Previous or Concurrent Applications

There is one concurrent and one relevant historic planning application on the subject property. As referenced above, the site was subject to a zoning by-law amendment to rezone the lands from B1.226 in Zoning By-law 8499 to URM2 with Site Specific Exception E117 in the new Kingston Zoning By-law (File number D14-015-2021). This application was approved by Kingston City Council in August 2023. The owner’s agent submitted an application for Site Plan Control concurrent with the re-zoning application (File number D11-032-2021), which is still under review and will continue to advance pending the outcome of the minor variance application.

Conclusion

The requested variances maintain the general intent and purpose of both the City of Kingston Official Plan and Kingston Zoning By-Law Number 2022-62. 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.

Approval of this application will facilitate the responsible and orderly infilling of an underutilized parcel of land in a form compatible with the surrounding neighbourhood.

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

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Municipal

City of Kingston Official Plan

Kingston Zoning By-Law Number 2022-62

Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on January 22, 2024. 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 24 was placed in The Kingston Whig-Standard (Exhibit H – Public 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:

Meghan Robidoux, Supervisor, Development Approvals, 613-546-4291 extension 1256

Chris Booth, Senior Planner, 613-546-4291 extension 3215

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Neighbourhood Context Map (2023)
- Exhibit D Official Plan Map
- Exhibit E Zoning By-Law Map

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Exhibit F Site Plan

Exhibit G Floor Plans

Exhibit H Site Photos

Exhibit I Public Notification Map

Recommended Conditions

The approval of minor variance application, File Number D13-068-2023, to vary the maximum number of dwelling units per building, reduce an interior side yard setback, and reduce the minimum required car parking spaces, shall be subject to the following recommended conditions:

1. Limitation

That the approved minor variance applies only to the proposed apartment buildings (Building A and B), limited to a maximum of 174 dwelling units, and built in a manner consistent with the plans depicted 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

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 Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca) and 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 Office of the Chief Coroner as a part of the Ontario Ministry of the Solicitor General (1-877-991-9959), the Archaeology Program Unit of the Ministry of Citizenship and

Multiculturalism (archaeology@ontario.ca), and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

5. Number of Bike Parking Spaces

The owner/applicant shall provide a minimum of 186 long-term bike parking spaces for the 174 dwelling units to compensate for the reduction in vehicle parking spaces.

6. Visitor Parking Spaces

The owner/applicant shall provide a minimum of 10 visitor parking spaces for the 174 dwelling units.


7. Maximum Number of Bedrooms

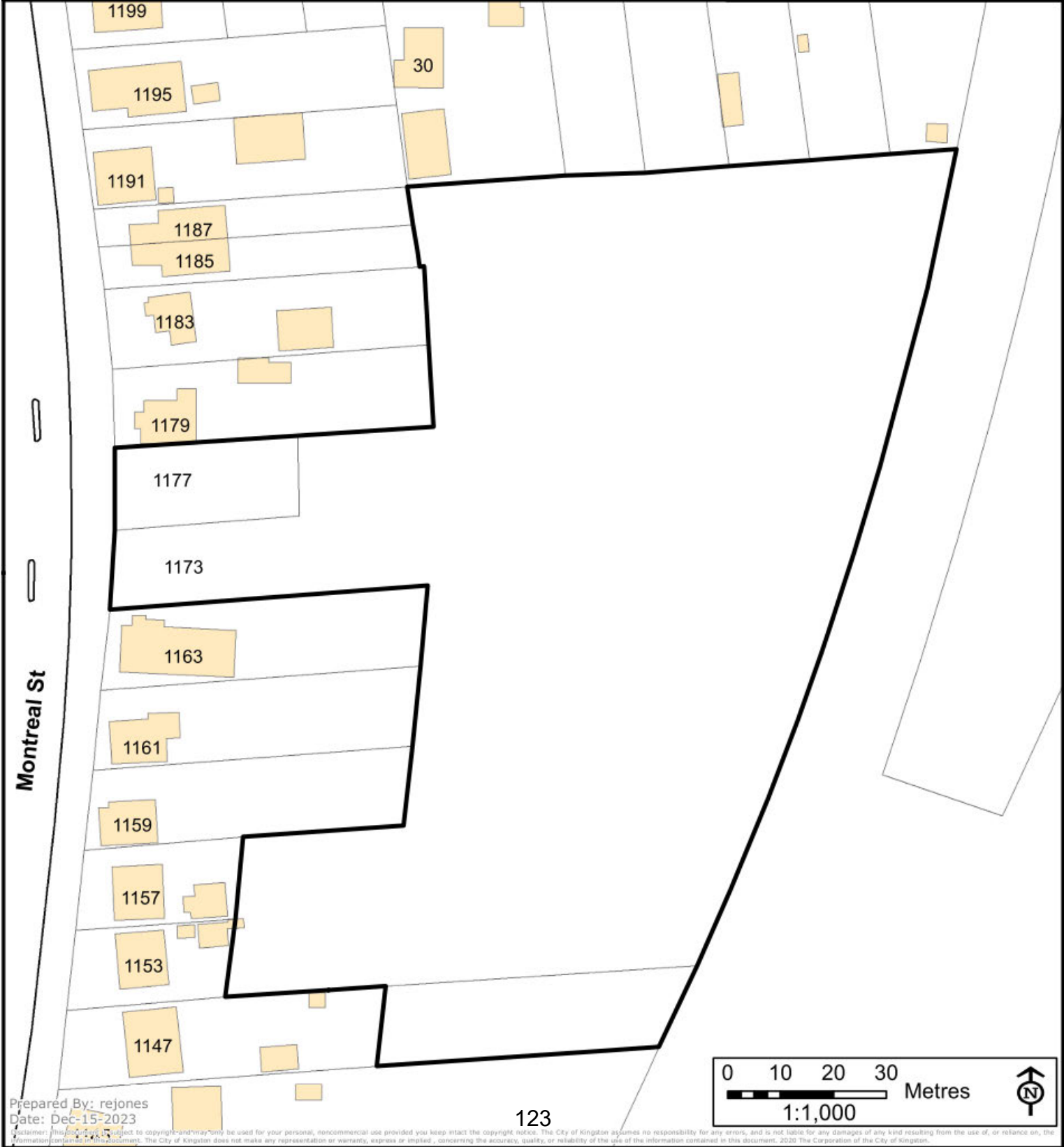
The apartment buildings on the subject property shall contain a maximum, in the aggregate, of 270 bedrooms.



Committee of Adjustment Key Map

Address: 1177 Montreal Street
File Number: D13-068-2023

 Lands Subject to Minor Variance





Planning Services

Committee of Adjustment Neighbourhood Context (2023)

Address: 1177 Montreal Street

File Number: D13-068-2023

- Subject Lands
- Property Boundaries
- Proposed Parcels



Prepared By: rejonas
Date: Dec-15-2023

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Planning Services

Committee of Adjustment
Official Plan, Existing Land Use

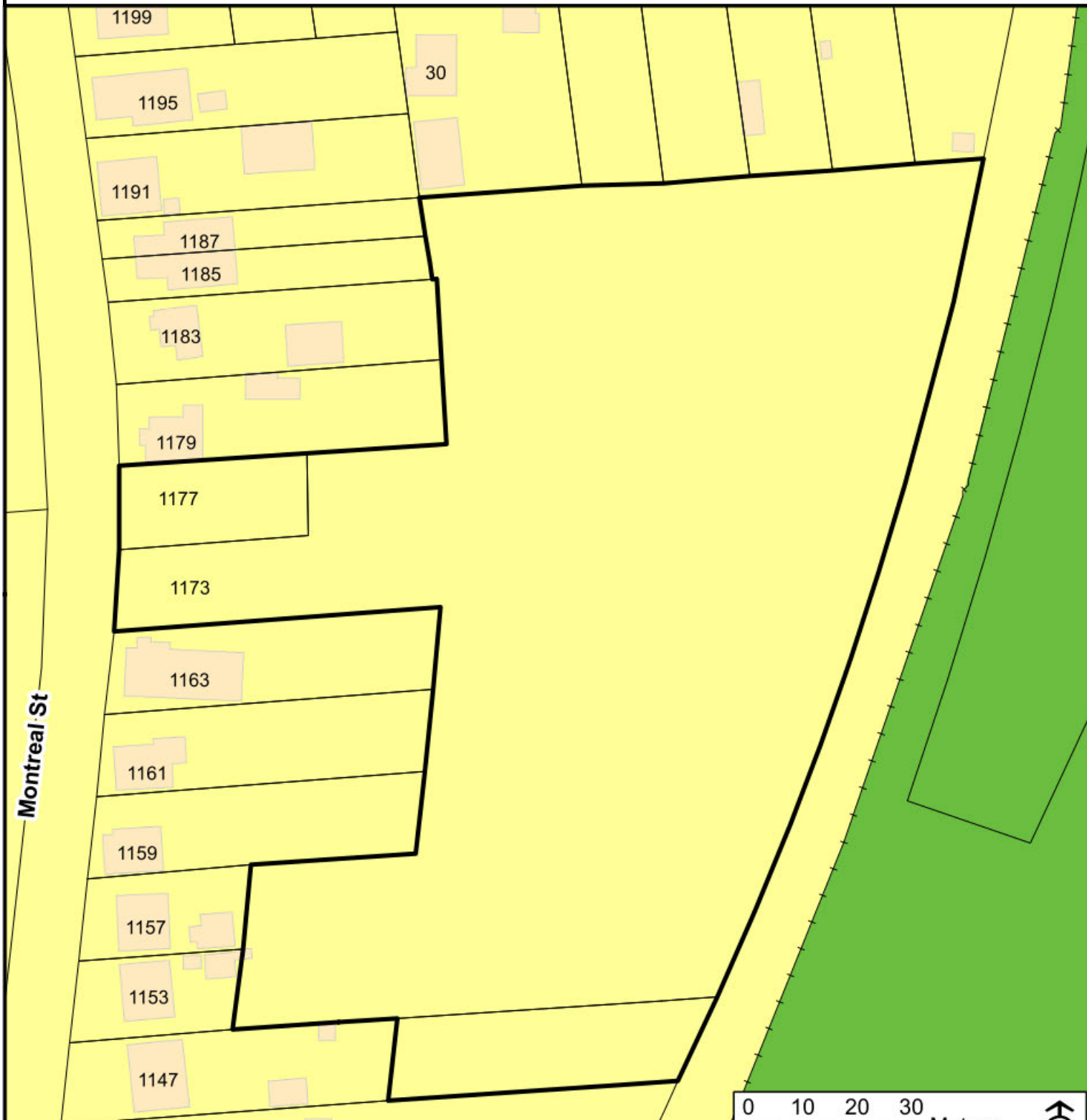
Address: 1177 Montreal Street

File Number: D13-068-2023

Subject Lands

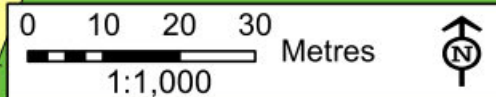
ENVIRONMENTAL PROTECTION AREA

RESIDENTIAL



Montreal St

125



Prepared By: rejones
Date: Dec-15-2023

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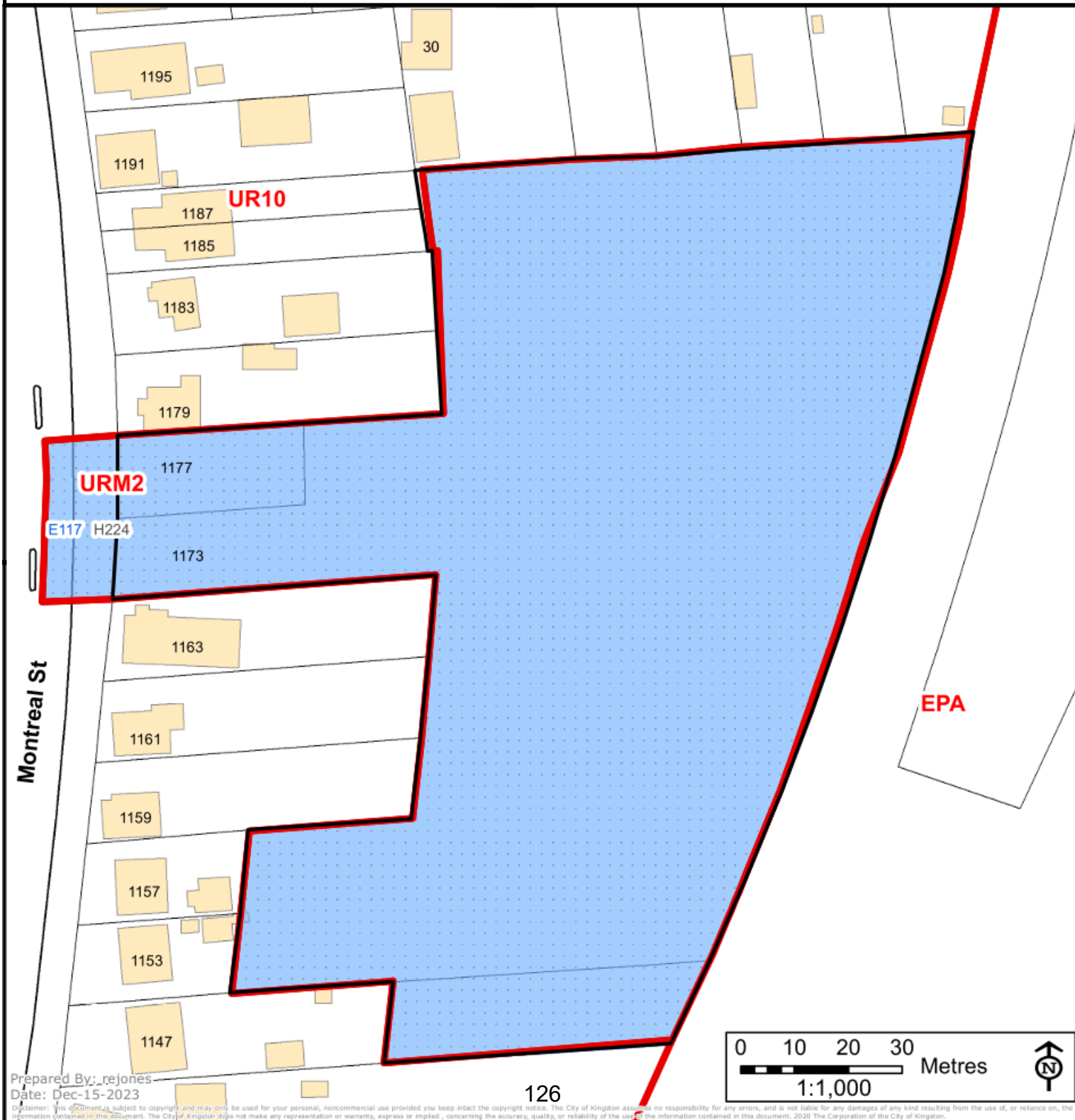
Planning Committee
Existing Zoning
Kingston Zoning By-Law 2022-62

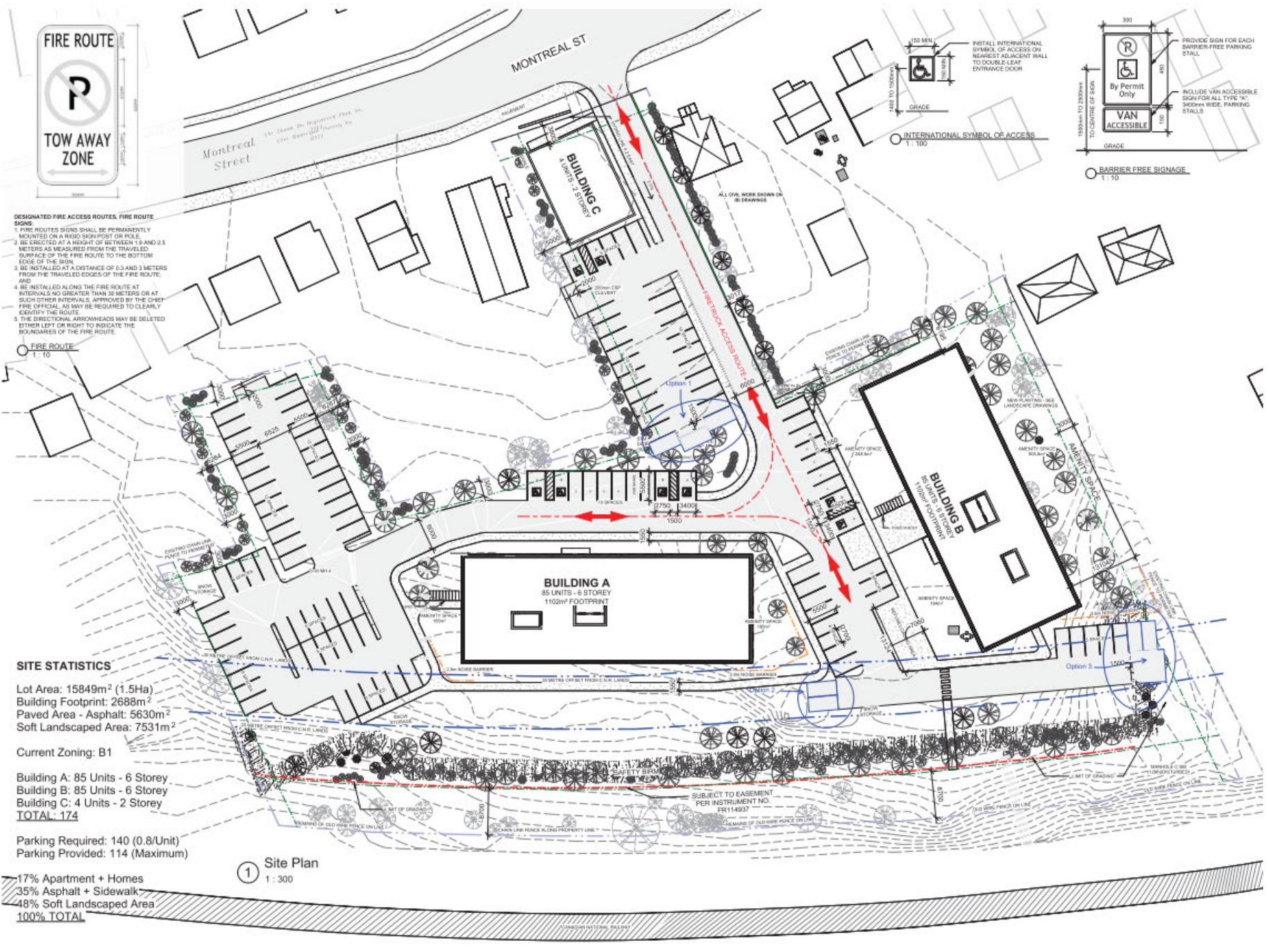
Planning Services

Address: 1177 Montreal Street
File Number: D13-068-2023

- Subject Lands
- Schedule 1 Zoning Map
- Zone

- Schedule E - Exception Overlay
- Legacy Exceptions (LXXX)
- Exceptions (EXXX)
- Schedule F - Holding Overlay
- Holding Overlay (HXXX)

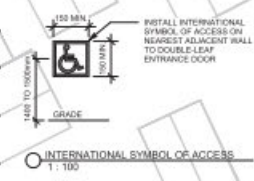




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Revisions

Revision Number	Revision Date	Revision Description
1	2023.06.11	34 PARKS ADDED
2	2023.06.14	ISSUED FIRE PLAN
3	2023.07.03	REVISED FOR 10% P.C.P.



- HEAVY DUTY PAVEMENT
- GRADE
- SHRUB BED
- HEATED AREA
- C.I.P. CONCRETE
- ASPHALT PAVING
- CIVIL
- FIRE ROUTE
- PROP. LINE
- TRAFFIC DIRECTION
- LIGHT STANDARD
- FIRE STOP CONSTRUCTION
- ENTRANCE SIGN
- FIRE HYDRANT

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RIVERSIDE HOUSING

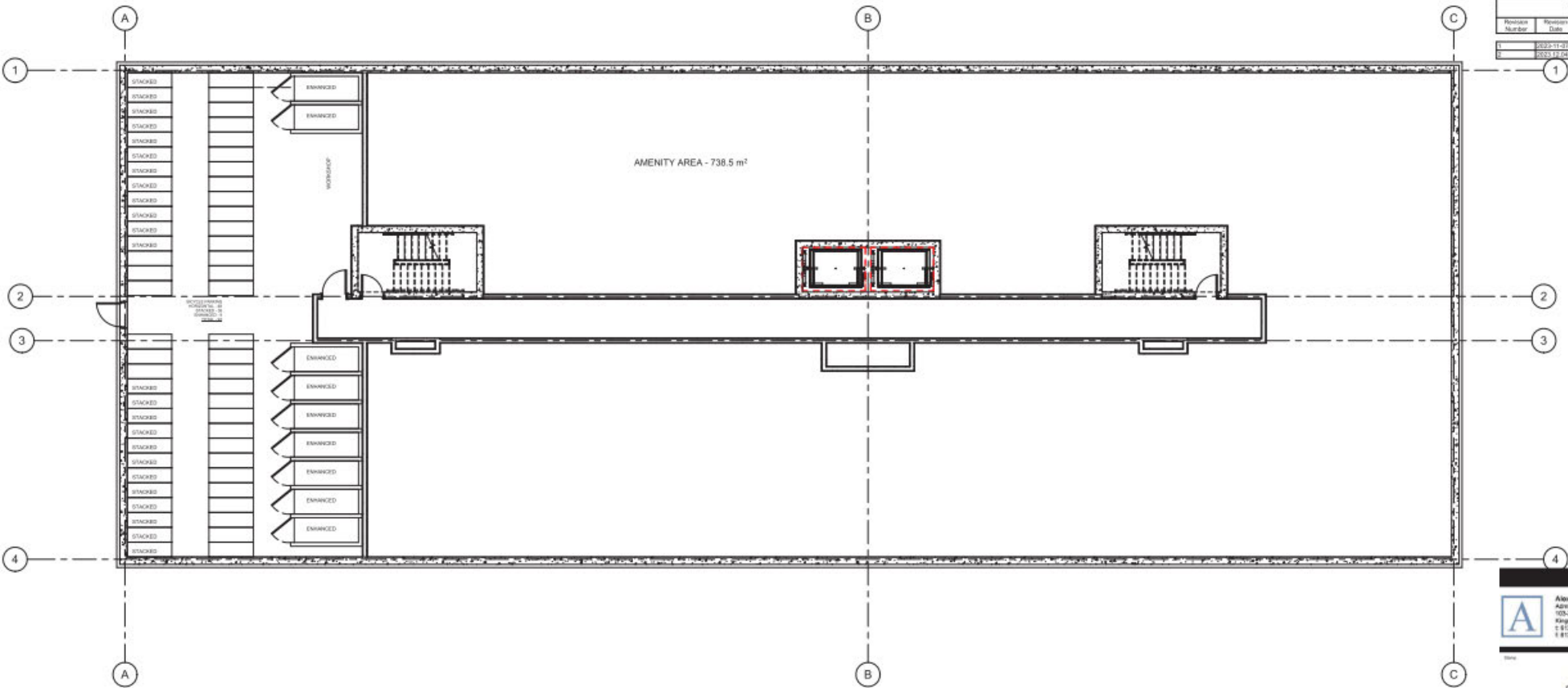
1117 MONTREAL ST
 KITCHENER, ONTARIO, N2C 5K8

SITE PLAN

Drawn By: AW	Checked By:
Date: 04.10.2024	Date: 2023.11.02
Project No: 2024	Revision: 3
Sheet No: A010	

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Revisions		
Revision Number	Revision Date	Revision Description
1	2023-11-07	SIGNED FOR COORDINATION
2	2024-11-24	REISSUED FOR SITE PLAN



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Project
RIVERSIDE HOUSING

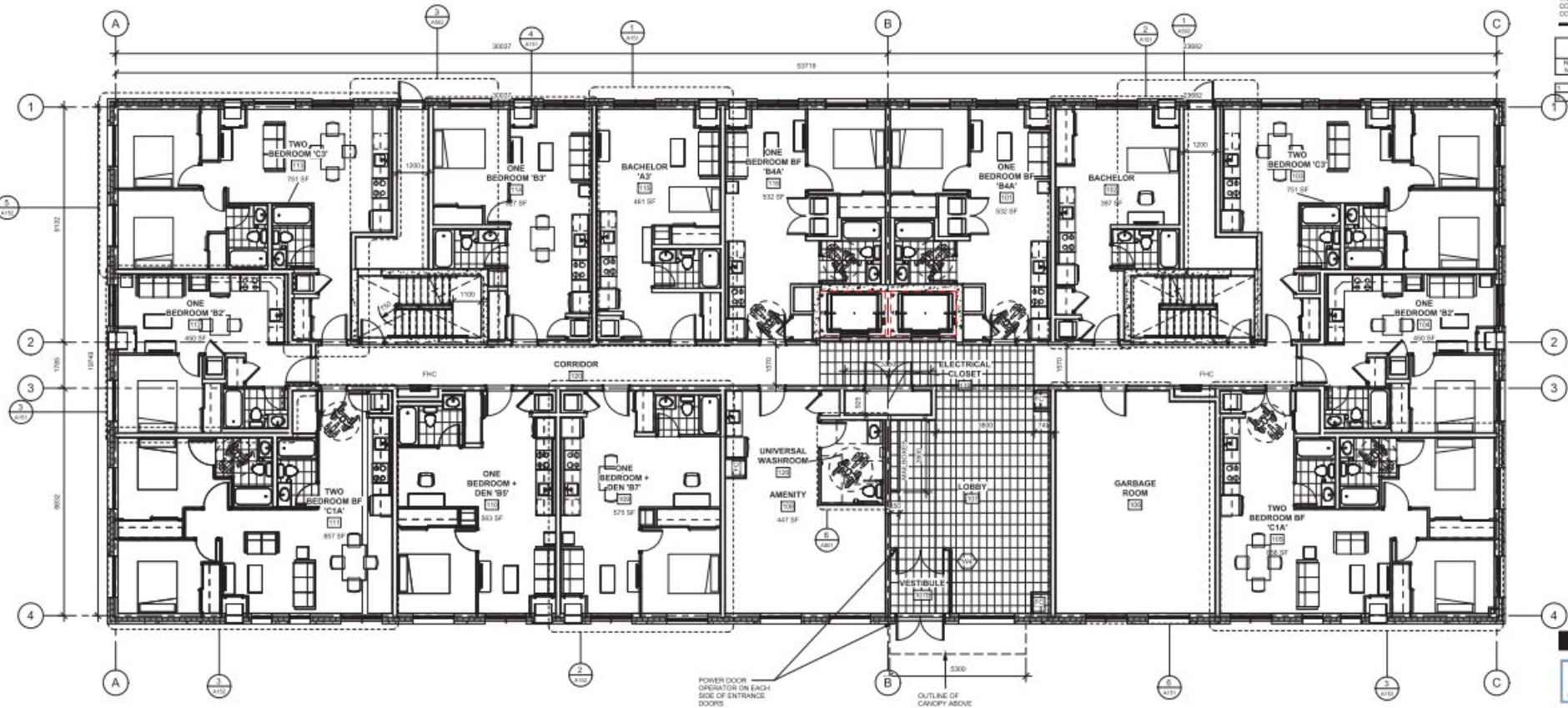
1177 MONTREAL ST.
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Sheet
BACEMENT FLOOR PLANS

Drawn By	Checked By
Date	Scale
Project No.	Revision
Sheeting No.	A100

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Revisions		
Revision Number	Revision Date	Revision Description
1	2023-11-07	ISSUED FOR COORDINATION
2	2024-12-24	REISSUED FOR SITE PLAN



1 GROUND FLOOR PLAN (13 UNITS)
1:75

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Project
RIVERSIDE HOUSING

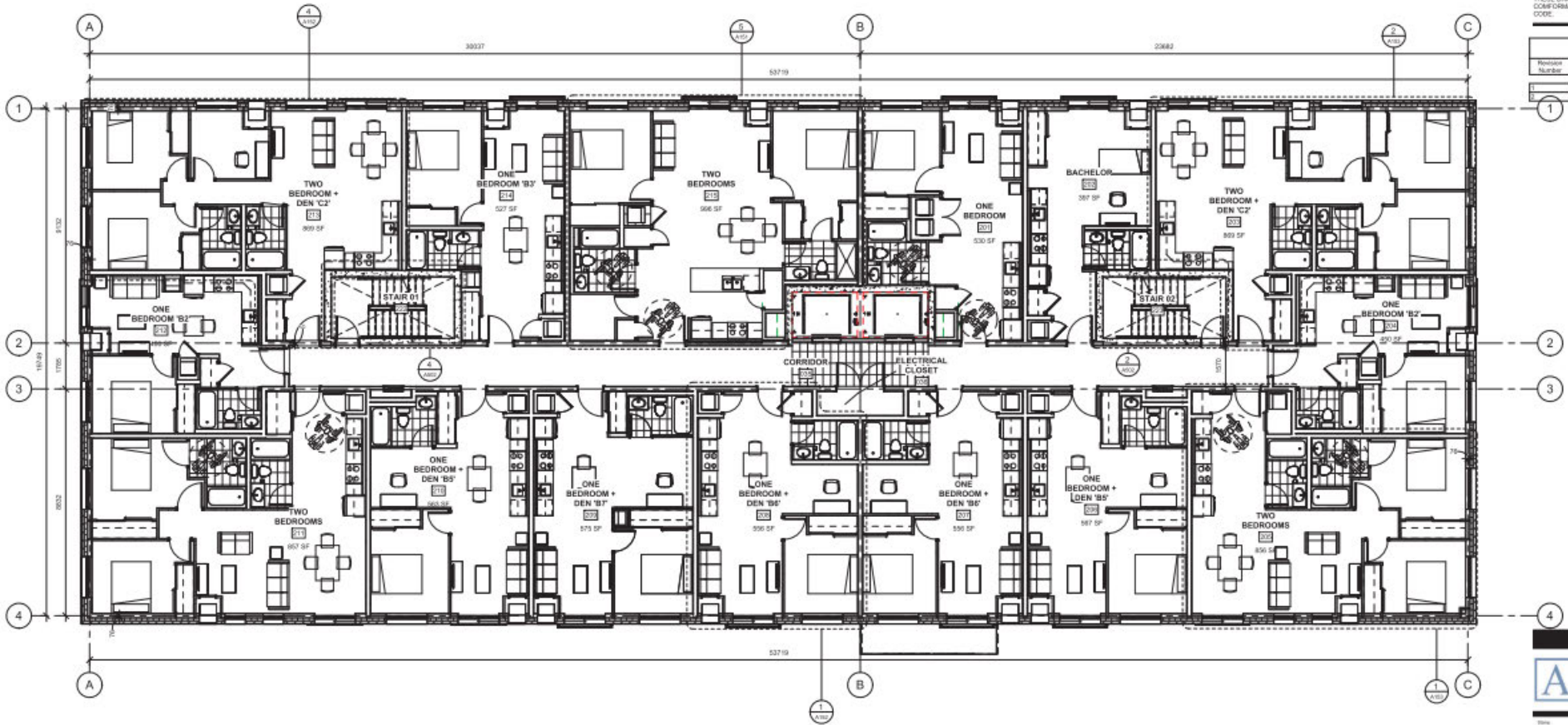
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GROUND FLOOR PLAN

Drawn By	Checked By
Date	Scale
Project No.	Revision
Drawing No.	A101

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Revisions		
Revision Number	Revision Date	Revision Description
1	2023-11-07	SIGNED FOR COORDINATION
2	2024-11-24	REDESIGNED FOR SITE PLAN



1 SECOND AND THIRD FLOOR PLAN (15 UNITS)
1 : 75

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Project: RIVERSIDE HOUSING

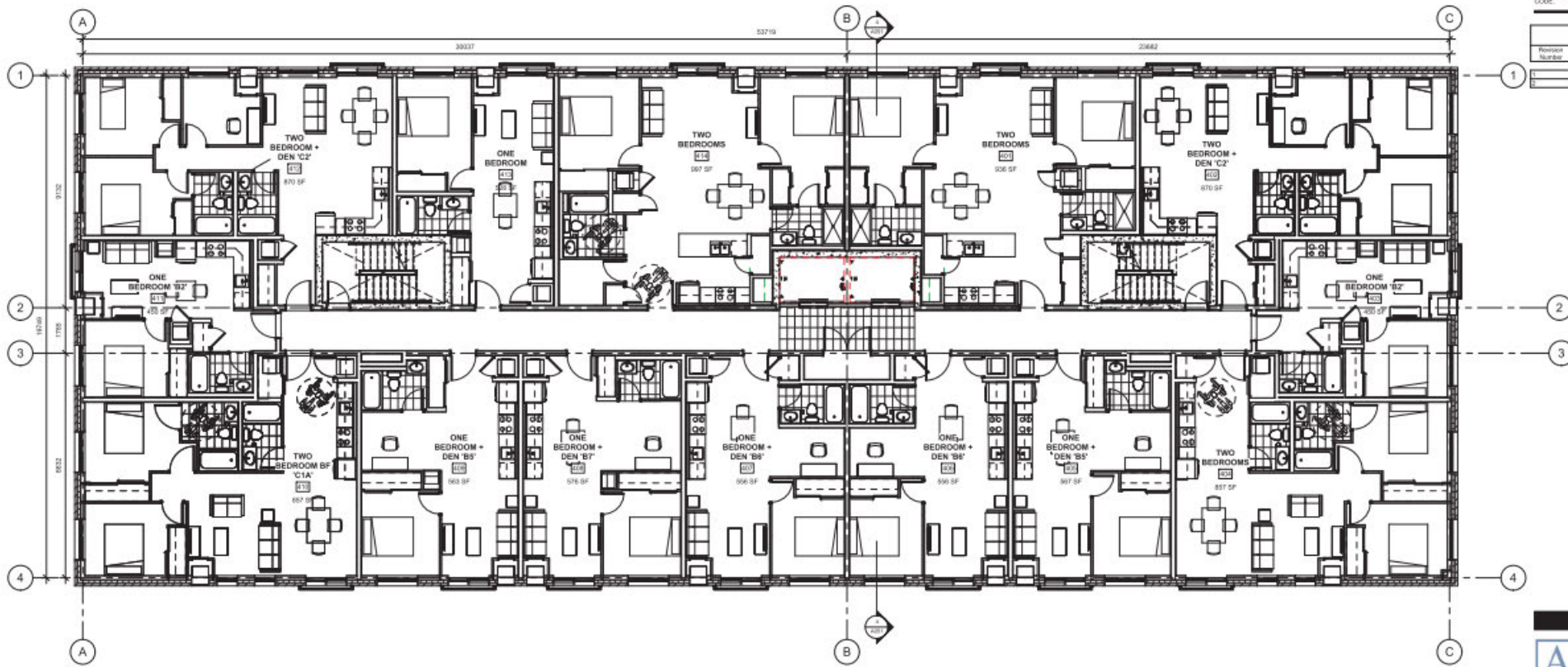
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SECOND AND THIRD FLOOR PLAN

Drawn By:	Checked By:
Date: 11/25	Date: 2023-11-24 09:20:48
Project No: 2023	Revision: 2
Sheeting No:	A102

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Revisions		
Revision Number	Revision Date	Revision Description
1	2023-11-07	SIGNED FOR COORDINATION
2	2024-12-04	REDESIGNED FOR SITE PLAN



1 4TH,5TH,6TH FLOOR PLANS (14 UNITS)
 1 : 75

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RIVERSIDE HOUSING

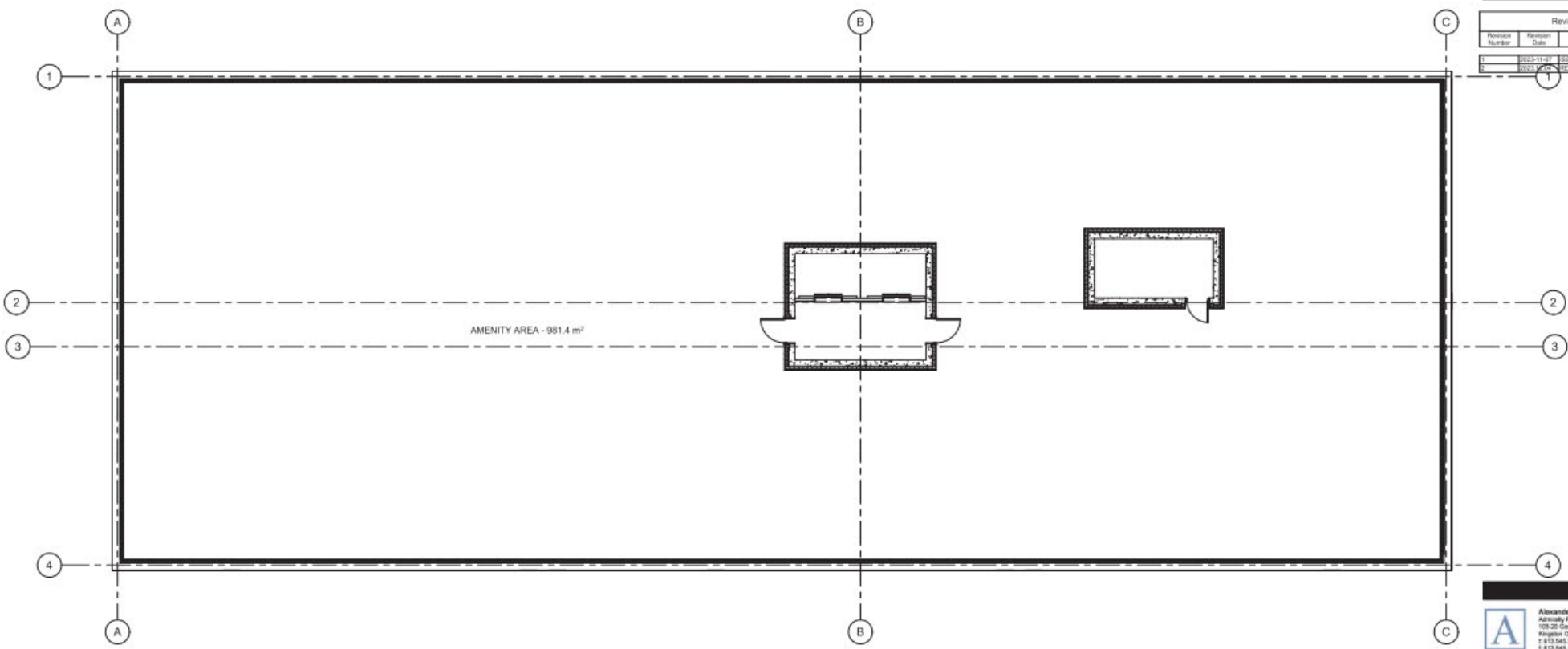
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**4TH,5TH,6TH FLOOR
 PLAN**

Drawn By	Checked By
Date	Scale
Project No.	Revision
Sheet No.	A103

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Revisions		
Revision Number	Revision Date	Revision Description
1	2024-11-01	ISSUED FOR COORDINATION
2	2024-11-01	ISSUED FOR SITE PLAN



1 ROOF PLAN
1:75

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Project: RIVERSIDE HOUSING

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Sheet: ROOF PLAN

Drawn By:	Checked By:
Date:	Scale:
Project No.:	Revision:
Sheeting No.:	A104

Site Photos

The subject site is depicted through the following photographs, taken July 28, 2023.



Figure 1: The upper portion of the subject site (foreground, with zone-change sign shown), viewed from along Montreal Street, looking south. A neighbouring property containing a small grocer is shown beyond.



Figure 2: Montreal Street, looking north, at the intersection with MacCauley Street. A pedestrian crosswalk leads from the subject site (at the far right) to amenities down MacCauley Street such as the Rideau Heights Community Centre, major parkland, and Rideau Heights Public School. Cycle lanes exist on both sides of the road, providing connectivity throughout the city.



Figure 3: The site affords views of the Great Cataraqui River and marshland, situated to the immediate east of the site. As this waterway carries a UNESCO designation, re-development of the site has been carefully considered from a heritage perspective.



Figure 4: The site is heavily vegetated, and slopes down to the east and south, toward the CN rail line and Great Cataraqui River beyond. The proposal would see more new trees planted than are being removed.



Figure 5: The CN rail line, looking south, abuts the eastern boundary of the site, pictured here to the right. The development will be set back 30 metres from the rail corridor, within which a treed berm is proposed for enhanced safety measures, along with the already significant grade change between the property and the railway.



Committee of Adjustment Public Notice Notification Map

Address: 1177 Montreal Street
File Number: D13-068-2023

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

