



**City of Kingston  
Report to Committee of Adjustment  
Report Number COA-24-025**

---

**To:** Chair and Members of the Committee of Adjustment  
**From:** Niki Van Vugt, Intermediate Planner  
**Date of Meeting:** April 15, 2024  
**Application for:** Minor Variance  
**File Number:** D13-009-2024  
**Address:** 920 Princess Street  
**District:** District 9 – Williamsville  
**Owner:** The Springer Group of Companies  
**Applicant:** The Springer Group of Companies and Fotenn Consultants Inc.

---

**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 variance for the property located at 920 Princess Street. The applicant is requesting relief from various provisions of the zoning by-law in order to support the construction of a new eight-storey multi-unit residential building containing 47 residential dwelling units, located at the southern portion of the property.

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 8499. 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.

April 15, 2024

Page 2 of 16

**Recommendation:**

**That** minor variance application, File Number D13-009-2024, for the property located at 920 Princess Street to construct a new eight-storey multi-unit residential building, containing 47 residential dwelling units, located at the undeveloped southeastern portion of the property, be approved, as described below:

**Variance Number 1:**

By-Law Number 8499: Exception Section 74

Requirement: The construction shall be restricted to a commercial and apartment complex containing a total of 48 dwelling units, 613 square metres of commercial area and a total of 100 parking spaces.

Proposed: The construction shall be restricted to an apartment complex containing a total of 48 dwelling units, 0 square metres of commercial area, and a total of 22 parking spaces.

Variance Requested: 613 square metres of commercial area and 78 parking spaces; and

**Variance Number 2:**

By-Law Number 8499: 5.3A.(d)(ii)(a) Off-Street Vehicle Parking Facilities – Accessible Parking

Requirement: Type A (Van accessible) spaces shall have minimum rectangular dimensions of 3.4 metres width by 6.0 metres length and must have signage specifying that they are van-accessible.

Proposed: Type A (Van accessible) spaces shall have minimum rectangular dimensions of 3.4 metres width by 5.5 metres length and must have signage specifying that they are van-accessible

Variance Requested: 0.5 metre length; and

**Variance Number 3:**

By-Law Number 8499: 5.3B.(h) – Off-Street Vehicle Parking Facilities – Design Standards

Requirement: The minimum size of a parking space shall be 2.7m wide and 6.0m long. All off-street automobile parking facilities shall be designed with appropriate means of access to streets or lanes as well as maneuvering areas and all parking facilities shall be suitably graded and surfaced, and all parking spaces suitably marked. Where four or more parking spaces are required, such parking areas shall be provided with at least one entrance lane and one exit lane for vehicles. All parking areas shall be provided with adequate driveways and aisles for the removal of a vehicle without the necessity of moving any other vehicle.

Proposed: The minimum size of a parking space shall be 2.6 metre wide and 5.5 metre long. All off-street automobile parking facilities shall be designed with appropriate means of access to streets or lanes as well as maneuvering areas and all parking facilities shall be suitably graded and surfaced, and all parking spaces suitably marked. Where four or more parking spaces are required, such parking areas shall be provided with at least one entrance lane and one exit lane for vehicles. All parking

April 15, 2024

Page 3 of 16

areas shall be provided with adequate driveways and aisles for the removal of a vehicle without the necessity of moving any other vehicle  
Variance Requested: 0.1 metre width and 0.5 metre length; and

**Variance Number 4:**

By-Law Number 8499: 5.27(a) – Amenity Area for Multiple Family Dwellings

Requirement: A minimum of 18.5 square metres of amenity area shall be provided for each dwelling unit on the lot.

Proposed: A minimum of 10.0 square metres of amenity area shall be provided for each dwelling unit on the lot.

Variance Requested: 8.5 square metres; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-24-025.

April 15, 2024

Page 4 of 16

**Authorizing Signatures:**

ORIGINAL SIGNED BY PLANNER

---

Niki Van Vugt, Intermediate  
Planner

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

Tim Park, Director, Planning Services  
Meghan Robidoux, Supervisor, Development Approvals

April 15, 2024

Page 5 of 16

**Options/Discussion:**

On February 1, 2024, a minor variance application was submitted by The Springer Group of Companies (owner/applicant) and Fotenn Consultants Inc. (co-applicant), with respect to the property located at 920 Princess Street. The application requests variances to the unique site-specific zone, parking standards, and amenity area requirements of Zoning By-Law Number 8499 to support the construction of a new eight-storey multi-unit residential building containing 47 residential dwelling units, located at the southeastern portion of the property.

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

- Conceptual Site Plan (Exhibit G)
- Floor Plans (Exhibit J)
- Architectural Elevations (Exhibit K)
- Serviceability Report
- Traffic Impact Study
- Noise Impact Study
- Planning Justification
- Archaeological Report
- 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.

**Site Characteristics**

The subject property is located south of the intersection of Princess Street, Bath Road, and Concession Street, and north of the intersection of Franklin Place and Helen Street. The development site is part of a large property with multiple addresses, including 920 Princess Street and 10 and 16 Bath Road (Exhibit B – Key Map). The total property is approximately 1.17 hectares in size with frontage on Franklin Place, Princess Street, and Bath Road.

The subject property currently contains a variety of commercial uses, including personal service shops (Allure Hair Studio & Spa at 920 Princess Street and Teddy Nails & Spa at 16 Bath Road), a wellness clinic (JD Physiotherapy at 920 Princess Street), animal care (Downtown Animal Hospital at 16 Bath Road), offices (S Rayner & Associates, CCS Bookkeeping Inc and Website Design Kingston at 920 Princess Street), a laundry store (Flindall’s Cleaners at 16 Bath Road), a recreation facility (Splitsville Kingston at 10 Bath Road), and a training facility (Kumon and Kingston Literacy & Skills at 16 Bath Road).

The property is surrounded by a number of commercial uses to the north, east, and west (Exhibit C – Neighbourhood Context Map). Namely, the Kingston Centre is located within

April 15, 2024

Page 6 of 16

approximately 200 metres walking distance, which provides a hub of retail commercial, financial, and office uses, as well as a Kingston Transit transfer station. To the east, the property is also located within walking distance of various community facilities located along Wright Crescent, including the Ongwanada Crescent Community Centre, YMCA Kingston, and the Kingston Frontenac Public Library Calvin Park Branch. To the south, the subject property borders on a residential neighbourhood containing a variety of building types and densities. Buildings in the surrounding neighbourhood generally include a one to four storey-built form. However, there are existing residential buildings in the area between eight and thirteen storeys in height (Exhibit H – Site Photos). The subject lands are located in close proximity to several parks, including Compton Park, Third Avenue Park, and the Kingston Memorial Centre. Public Transit opportunities include Kingston Transit Routes 2, 4, 12, 16 as well as Express Routes 501/502 and 701/702.

The subject property is designated Main Street Commercial as per Schedule 3A – Land Use in the Official Plan (Exhibit D – Official Plan, Existing Land Use Map) and is located in the Williamsville Mainstreet Specific Policy Area as outlined on Schedules 3 and 13 of the Official Plan. The property is split zoned Neighbourhood Commercial in Kingston Zoning By-Law Number 2022-62 for the portion of the site municipally addressed as 10 and 16 Bath Road, a Main Street Commercial ‘C4-H’ Zone for the portion of the site municipally addressed as 920 Princess Street, and a site-specific Commercial (Central Business District and Upper Princess Street) ‘C.74’ Zone under Zoning By-Law Number 8499 for the undeveloped portion of the site which is currently subject to this minor variance application (Exhibit E – Kingston Zoning By-Law 2022-62 Map and Exhibit F – Zoning By-Law Number 8499 Map).

The site-specific C.74 Zone was established through a rezoning application passed December 14, 1970, and approved by the Ontario Municipal Board January 29, 1971 (Ontario Municipal Board File Number R.880-60) for the purpose of facilitating a mixed-use commercial and multi-unit apartment building, containing a maximum of 48 dwelling units, 613 square metres of commercial area, and a total of 100 parking spaces. The site-specific C.74 Zone also notes that the mixed-use building is to be substantially in conformity with the plan entitled "Proposed Commercial and Apartment Complex Scheme F", prepared by E.A. Cromarty, Architect, dated November 1970, which was attached to and formed part of this implementing by-law as Schedules "H-1", "H-2", "H-3", "H-4" and "H-5". Scheme "F" illustrates an eight-storey building and is attached as Exhibit L.

### **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.

April 15, 2024

Page 7 of 16

## 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 Main Street Commercial as shown in Schedule 3A – Land Use in the City of Kingston Official Plan (Exhibit D – Official Plan, Existing Land Use Map) and is located in the Williamsville Main Street Specific Policy Area as outlined on Schedules 13 and Schedule PS-1 of the Official Plan.

The Main Street Commercial land use designation on Schedule 3A permits residential uses as upper storey and ground floor residential uses if identified in a Specific Policy Area on Section 10 of the Official Plan. Schedule PS-1 of the Official Plan identifies areas for where ground floor commercial is required. This property falls outside this particular stretch along Princess Street and, as such, the proposal to reduce the commercial area found within the proposed development is in alignment with the policies contemplated in the Official Plan and reflects the surrounding streetscape along Franklin Place. The proposal has been thoughtfully designed to reflect policies found under Section 10E.1.21. of the Official Plan where the at-grade units include direct access from the public realm to the private realm to ensure the streetscape is activated in a similar manner to the built form found in the surrounding neighbourhood.

The subject property is located in a Corridor and Housing District, as shown on Schedule 2 of the City of Kingston Official Plan. Centres and Corridors, as shown on Schedule 2, are areas of mixed use, including employment, residential, commercial and supporting uses and facilities. These will be the areas where intensification will be focused, and where greater densities of residential and non-residential development will be permitted. Corridors are identified as those areas that provide linkages between Centres and are accordingly well-suited to accommodate priority transit and a mix of uses that promote active transportation. In addition, Housing Districts are planned to remain stable in accordance with Section 2.6 of this Plan, but will continue to mature and adapt as the City evolves. Re-investment and upgrading will be encouraged through minor infilling and minor development that can integrate compatibility within the prevailing built form standards of height, density and amenity that are generally found in the neighbourhood. The proposal is anticipated to supply a range of housing options that incorporates a mix of 1- and 2-bedroom units, adjacent to an existing established neighbourhood and within walking distance to commercial uses. The proposal has been designed to recognize and mitigate potential impacts to existing uses in the surrounding area, while supplying on-site amenity areas in compliance with the standards of the new Kingston Zoning By-Law 2022-62. The undeveloped portion of the property is located where ground floor residential uses are permitted, as identified on Schedule PS-1 of the Official Plan. The proposal is not anticipated to have any undue adverse impacts on abutting properties or existing residential uses.

April 15, 2024

Page 8 of 16

The proposal to provide for 47 residential units, which is well within the as-of-right permissions identified in the site-specific C.74 Zone permitting a maximum of 48 dwelling units, on the underutilized portion of the site has been designed to consider the surrounding uses, while seeking to substantially conform to the plan entitled "Proposed Commercial and Apartment Complex Scheme "F", prepared by E.A. Cromarty, Architect, dated November 1970. The applicant has proposed a modernized approach to the placement and design of the building to ensure mitigative measures are used to achieve compatibility with the surrounding built form. The former Scheme "F" drawings indicate a 0 metre setback along Franklin Place, whereas the applicant is proposing a 3.0 metre setback (Exhibit K – Architectural Elevations). This increased setback along Franklin Place will allow for improvements to the public realm and facilitate increased opportunities for potential landscaping solutions along this particular frontage. In addition to the increased setback, the current design incorporates a 4 storey podium with a 1.3 metre stepback above the fourth storey along Franklin Place and the northern elevation of the building facing Princess Street. This proposed changed to the initial massing found in the Scheme "F" drawings allows for the establishment of a more appropriate transition in building heights, matching the existing four-storey built form along Franklin Place. The combined setback and stepbacks allow for additional mitigative measures, as called for by Section 2.7, which reduce potential compatibility concerns with residential development to south of the subject property, along Franklin Place (Exhibit K – Architectural Elevations).

The proposed development is not anticipated to have any negative impacts to the site functioning in terms of access, parking for vehicles and bicycles, or universal accessibility. The design proposes parking to be located to the west, north, and east of the building and is anticipated to be accessed from existing entrances on Franklin Place, Bath Road, and Princess Street. As indicated in Section 4.6.47 of the Official Plan, it is the intention of this Plan to encourage a balance between providing sufficient parking to address existing or future requirements, and not oversupplying parking to the detriment of public transit usage or active transportation. The requested reduction to the current parking rates and dimensions, and oversupply of the required bicycle parking spaces (47 required and 48 proposed) under Zoning By-Law Number 8499 maintains the general intent of the Official Plan and is consistent with modern standards applied under the Kingston Zoning By-Law to surrounding properties.

The subject property is not designated or listed under Part IV or Part V of the *Ontario Heritage Act* or located within or adjacent to a Heritage Conservation District. Through technical review, there were no concerns raised with the proposed built form and staff are in receipt of the requested Archaeological Assessment for the property prepared by Abacus Archaeological Services, dated February 14, 2024. When all matters relating to archaeological sites within the project area of a development proposal have been addressed to the satisfaction of the Ministry of Heritage, Sport, Tourism and Culture Industries, a letter will be issued by the Ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.

The property is located within the Urban Boundary and will be serviced by municipal services. Utilities Kingston, Kingston Hydro and Engineering staff have been circulated and identified the requirement for a detailed servicing plan, traffic impact study, grading plan, stormwater



April 15, 2024

Page 9 of 16

management report, and noise study as part of a complete package for the future Site Plan Control submission. There are no concerns from a site servicing perspective, specific to the requested variances to reduce commercial area, parking spaces and associated parking space dimensions, and amenity area to facilitate the construction of the as-of-right multi-unit apartment through a modernized approach that reflects the standards of the Kingston Zoning By-Law.

Based on a review of the site-specific context, and in light of the current standards afforded through Kingston Zoning By-Law Number 2022-62, a zoning by-law amendment is not required at this time to facilitate the proposed development. Recommended conditions of approval are included in Exhibit A of this report. The approval of this application will not set an undesirable precedent, as consideration has been provided for the unique site-specific circumstances and surrounding land uses in this particular instance.

The proposal meets the intent of the Official Plan, as the proposed variances will not result in any negative impacts to adjacent properties or to the neighbourhood while providing additional housing opportunities by pursuing as-of-right permissions afforded through the site-specific zone for a vacant portion of a property located within the Urban Boundary with access to municipal services.

**2) The general intent and purpose of the Zoning By-Law are maintained**

The subject property is split-zoned Neighbourhood Commercial (CN) Zone under the Kingston Zoning By-Law Number 2022-62 along the western portion of the site, while the remainder of the site is identified as “Not Subject to this By-law” under the Kingston Zoning By-law. The northeast portion remains a Williamsville C4-H Zone and the undeveloped parcel subject to this minor variance remains as a site-specific C.74 Zone under Zoning By-Law Number 8499 (Exhibit E – Kingston Zoning By-Law 2022-62 Map and Exhibit F – Zoning By-Law Number 8499 Map). As indicated earlier in this report, the C.74 Zone permits a commercial and apartment complex containing a total of 613 square metre of commercial area, 48 dwelling units, and a total of 100 parking spaces.

The proposal is seeking the following variances from Zoning By-Law Number 8499 to facilitate the proposed development:

**Variance Number 1:**

By-Law Number 8499: Exception Section 74

Requirement: The construction shall be restricted to a commercial and apartment complex containing a total of 48 dwelling units, 613 square metres of commercial area and a total of 100 parking spaces.

Proposed: The construction shall be restricted to an apartment complex containing a total of 48 dwelling units, 0 square metres of commercial area, and a total of 22 parking spaces.

Variance Requested: 613 square metres of commercial area and 78 parking spaces

The proposed redevelopment requires relief from the unique site-specific zone for the purpose of reducing the required commercial area to zero. As indicated earlier in this report, the

April 15, 2024

Page 10 of 16

proposed multi-unit apartment building is located on lands where ground floor residential uses are permitted under the Official Plan. The current standards found under Zoning By-Law Number 8499 require a minimum commercial area of 613 square metres. It is important to note that the minimum commercial area in the site-specific zone was established in the 1970s, prior to the balance of the site being developed with various commercial uses (i.e., Veterinary Clinic located at 16 Bath Road, Splitsville Bowling located at 10 Bath Road, etc.) as well as the surrounding areas being developed with additional commercial opportunities in walking distance to the subject site (i.e., Kingston Centre). Despite the requested variance to reduce commercial area on the undeveloped portion of the site, a review of the surrounding area has adequately demonstrated that there are numerous existing commercial opportunities located on the subject site and within walking distance to the proposed development. As such, the proposed development will be very well serviced by surrounding commercial uses and the general intent of the zoning by-law is maintained.

In addition to the variance to commercial area, the proposal requires relief from the site-specific C.74 Zone for the purpose of reducing the total number of required parking spaces from 100 spaces to 22 spaces as shown on Schedule "F" of Zoning By-Law Number 8499. As indicated earlier, the property remains subject to a unique, site-specific zone, which was developed in the 1970s. Since this time, the municipality has taken an alternate approach to determining minimum vehicle parking requirements across the City. This has been demonstrated through the passage of the new Kingston Zoning By-Law 2022-62, which significantly decreased the required rates of parking for residential uses, as discussed in detail in the Power of Parking discussion paper ([Report Number PC-21-040](#)). Under the Kingston Zoning By-Law, the subject property would be subject to Parking Area 2 (PA2), which would require the proposal to have a total of 19 standard parking spaces, 2 car-share spaces, and 5 visitor parking spaces for a total of 26 parking spaces. The requested variance to reduce the total number of parking down to 22 spaces, from the current requirement of 100 spaces, is more in alignment with the modernized approach endorsed by Council in the Kingston Zoning By-Law. The proposed reduction to vehicle parking would permit the site to utilize the existing paved area, already dedicated to parking, while offsetting the parking demand through the provision of 48 bicycle parking spaces (to be provided indoors and outdoors), which are replacing the previous underground parking area for a more active and sustainable form of travel (Exhibit J – Floor Plans). As indicated earlier in the report, the subject property is within close walking distance to various institutional, open space, commercial uses, various transit stops, and has access to bike lanes and sidewalk infrastructure along Princess Street. The requested reduction to the existing oversupply of vehicle parking would result in a parking rate of 0.46, which is more aligned with the direction currently provided by the Kingston Zoning By-Law 2022-62.

**Variance Number 2:**

By-Law Number 8499: 5.3A.(d)(ii)(a) Off-Street Vehicle Parking Facilities – Accessible Parking Requirement: Type A (Van accessible) spaces shall have minimum rectangular dimensions of 3.4 metres width by 6.0 metres length and must have signage specifying that they are van-accessible.

April 15, 2024

Page 11 of 16

Proposed: Type A (Van accessible) spaces shall have minimum rectangular dimensions of 3.4 metres width by 5.5 metres length and must have signage specifying that they are van-accessible

Variance Requested: 0.5 metre length

**Variance Number 3:**

By-Law Number 8499: 5.3B.(h) – Off-Street Vehicle Parking Facilities – Design Standards Requirement: The minimum size of a parking space shall be 2.7 metres wide and 6.0 metres long. All off-street automobile parking facilities shall be designed with appropriate means of access to streets or lanes as well as maneuvering areas and all parking facilities shall be suitably graded and surfaced, and all parking spaces suitably marked. Where four or more parking spaces are required, such parking areas shall be provided with at least one entrance lane and one exit lane for vehicles. All parking areas shall be provided with adequate driveways and aisles for the removal of a vehicle without the necessity of moving any other vehicle.

Proposed: The minimum size of a parking space shall be 2.6 metres wide and 5.5 metres long. All off-street automobile parking facilities shall be designed with appropriate means of access to streets or lanes as well as maneuvering areas and all parking facilities shall be suitably graded and surfaced, and all parking spaces suitably marked. Where four or more parking spaces are required, such parking areas shall be provided with at least one entrance lane and one exit lane for vehicles. All parking areas shall be provided with adequate driveways and aisles for the removal of a vehicle without the necessity of moving any other vehicle

Variance Requested: 0.1 metre width and 0.5 metre length

As indicated above, the proposal contemplates a total of 22 vehicular parking spaces (21 standard parking spaces and 1 Type A accessible parking space) for the purpose of serving the proposed eight-storey, 47 dwelling unit apartment building. As indicated earlier, the property remains subject to Zoning By-Law Number 8499. As such, the applicant is seeking variances to the minimum standard, as well as accessible, parking space dimensions for the purpose of modernizing the applicable parking design standards to align with those found under the new Kingston Zoning By-Law.

The applicant is proposing a standard vehicle parking space size of 2.6 metres by 5.5 metres (Exhibit G – Conceptual Site Plan), which is consistent with the current standard provided by the Kingston Zoning By-law for spaces perpendicular to a 6.7 metre drive aisle. Similarly, the applicant is seeking a reduction for length of a Type A accessible space to 5.5 metres, as permitted by the modern standards under the Kingston Zoning By-law. The proposed parking area has been designed to provide safe ingress and egress to the site with suitable room for parking and navigation within the parking lot. As such, the requested variances to standard and accessible parking space dimensions are not anticipated to have any negative impacts on the provision of functional standard and barrier-free parking spaces on the subject site.

April 15, 2024

Page 12 of 16

**Variance Number 4:**

By-Law Number 8499: 5.27(a) – Amenity Area for Multiple Family Dwellings  
 Requirement: A minimum of 18.5 square metres of amenity area shall be provided for each dwelling unit on the lot.

Proposed: A minimum of 10.0 square metres of amenity area shall be provided for each dwelling unit on the lot.

Variance Requested: 8.5 square metres

The proposal is seeking relief from the minimum amount of amenity area required for each dwelling unit on the lot. Section 5.27(a) of Zoning By-Law Number 8499 requires a minimum of 18.5 square metres of amenity area to be provided for each dwelling unit on the lot, whereas the applicant is seeking to establish a minimum of 10 square metres of amenity area to be provided for each dwelling unit on the lot.

The proposed building will incorporate amenity area in the form of private balconies and shared interior amenity areas, the details of which will be finalized through Site Plan Control. The requested variance maintains the intent of the zoning by-law, considering the sites context within the Williamsville Main Street Policy Area of the Official Plan and proximity to surrounding properties which are zoned WM1 under the new Kingston Zoning By-Law for which only 10 square metres of amenity area per unit is required. The unique site-specific zone, which remains on this undeveloped portion of the property, does not reflect the updated standards of the Kingston Zoning By-law for amenity area. The requested reduction to amenity area for this proposal is appropriate, when considering the sites close proximity to various amenities (i.e., commercial, institutional, open space) in the surrounding area.

The requested variances maintain the general intent and purpose of the zoning by-law.

**3) The variance is minor in nature**

The variances are considered minor as no negative impacts are anticipated to result on the neighbouring properties through the proposal. There are no increases to the previous site-specific C.74 Zone for height or building area through this proposal, with improvements instead being made through the provision of a front setback along Franklin Place and stepbacks above the fourth storey. The requested variances continue to allow for a built form which will substantially conform with “Scheme F” which regulates the C.74 zone in Zoning By-law Number 8499 and will allow the functional needs of users to be met. Following the minor variance process, the applicant will be required to submit a Site Plan Control application to demonstrate adequate servicing infrastructure and more detailed reports relating to transportation, stormwater and noise. As indicated earlier in this report, there are no concerns with the proposal pursuing the as-of-right permissions to facilitate up to 48 dwelling units on the property and the requested variances to reduce commercial area, parking spaces and their associated dimensions, as well as amenity area. The variance to permit a reduction to commercial area is minor in its impact based on the surrounding site context with the property being in close proximity to existing commercial uses, both on-site and in walking distance to the undeveloped site (i.e., the Kingston Centre). In addition, the requested variances to the current parking

April 15, 2024

Page 13 of 16

requirements, parking dimensions, and amenity area found under Zoning By-Law Number 8499 would result in a more modernized approach as envisioned in Kingston Zoning By-Law Number 2022-62.

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

Approval of the variances is desirable as it will permit an opportunity to update the performance standards to those found in the Kingston Zoning By-Law, while enabling the use of as-of-right height and density permissions found in the site-specific C.74 Zone. The proposed development will facilitate additional housing opportunities within the Urban Boundary and align with the intensification goals and objectives of the Official Plan. The proposed development includes a setback along Franklin Place, where there was previously no setback required through the C.74 Zone, while incorporating a stepback above the fourth storey. These changes allow for increased improvements to the public realm along Franklin Place while ensuring there are decreased impacts from a shadow and privacy perspective. The removal of 78 parking spaces, reduction to parking space dimensions, and amenity area will not have adverse impact the functionality of the site nor have any impacts on compatibility with adjacent uses.

The variance is desirable and appropriate use of the land.

**Technical Review: Circulated Departments and Agencies**

- |   |   |  |
|---|---|--|
| <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 type="checkbox"/> Canadian National Railways      |
| <input type="checkbox"/> Housing                      | <input checked="" type="checkbox"/> District Councillor | <input type="checkbox"/> Ministry of Transportation      |
| <input type="checkbox"/> KEDCO                        | <input checked="" type="checkbox"/> Municipal Drainage  | <input type="checkbox"/> Parks of the St. Lawrence       |
| <input checked="" type="checkbox"/> CRCA              | <input type="checkbox"/> KFL&A Health Unit              | <input type="checkbox"/> Trans Northern Pipelines        |
| <input type="checkbox"/> Parks Canada                 | <input type="checkbox"/> Eastern Ontario Power          | <input type="checkbox"/> CFB Kingston                    |
| <input type="checkbox"/> Hydro One                    | <input type="checkbox"/> Enbridge Pipelines             | <input type="checkbox"/> TransCanada Pipelines           |
| <input type="checkbox"/> Kingston Airport             | <input checked="" type="checkbox"/> Forestry            |  |

**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.

April 15, 2024

Page 14 of 16

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

### Conclusion

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.

Approval of this application will allow for the construction of an eight-storey multi-unit apartment building, including 47 dwelling units, on the undeveloped portion of the property. The reduction to commercial area, parking spaces and their associated dimensions, and amenity area will modernize the property to reflect the standards as envisioned under the current zoning framework established through Kingston Zoning By-Law Number 2022-62.

### Existing Policy/By-Law:

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

#### Provincial

Provincial Policy Statement, 2020

#### Municipal

City of Kingston Official Plan

Kingston Zoning By-Law Number **2022-62**

Zoning By-Law Number **8499**

### Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on April 15, 2024. Pursuant to the requirements of the *Planning Act*, a notice of Statutory Public Meeting

April 15, 2024

Page 15 of 16

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 21 properties (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 I – 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

Niki Van Vugt, Intermediate Planner, 613-546-4291 extension 3253

**Other City of Kingston Staff Consulted:**

None

**Exhibits Attached:**

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Neighbourhood Context Map
- Exhibit D Official Plan, Existing Land Use Map
- Exhibit E Kingston Zoning By-Law 2022-62 Map
- Exhibit F Zoning By-Law Number 8499 Map
- Exhibit G Conceptual Site Plan
- Exhibit H Site Photos
- Exhibit I Public Notice Notification Map
- Exhibit J Floor Plans

April 15, 2024

Page 16 of 16

Exhibit K Architectural Elevations

Exhibit L Scheme "F"



## Recommended Conditions

The approval of minor variance application, File Number D13-009-2024, to reduce the commercial area, number of parking spaces and dimensions of standard and accessible spaces, and amenity area for the purpose of constructing an 8 storey 47 dwelling unit building, shall be subject to the following recommended conditions:

### 1. Limitation

That the approved minor variance applies only to commercial area, parking spaces and dimensions, and amenity area, 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 920 Princess Street prepared by Abacus Archaeological Services dated February 14, 2024. This report has been submitted for review to the Ministry of Citizenship and Multiculturalism. 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.

Archaeological clearance of the subject property is required. One digital copy of any acceptance letter(s) from the Ministry of Citizenship and Multiculturalism shall be provided to the Secretary-Treasurer of the Committee of Adjustment, prior to the issuance of the Certificate of Official.

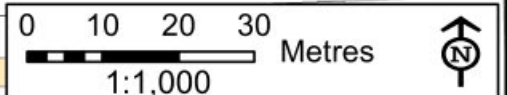
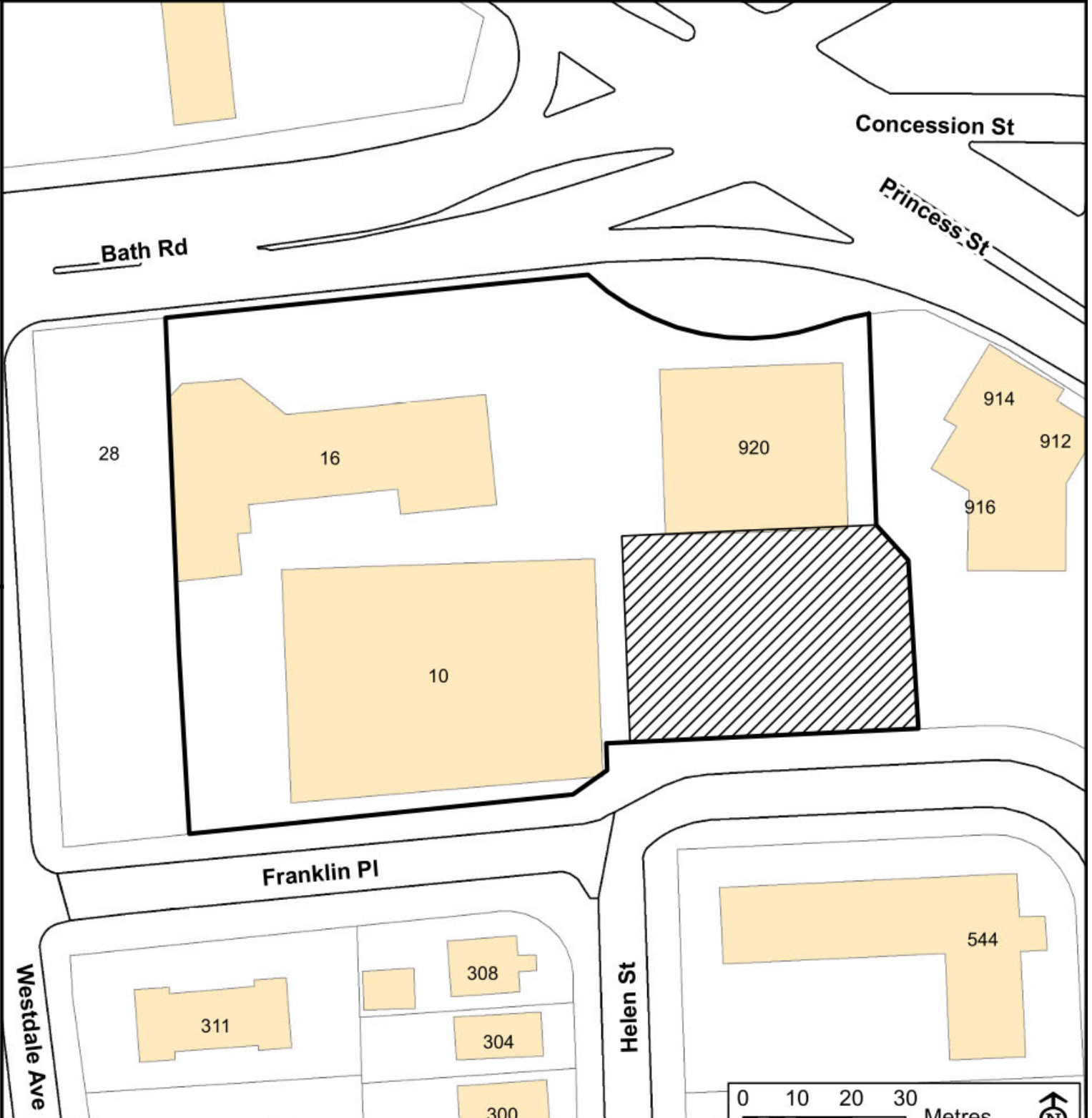
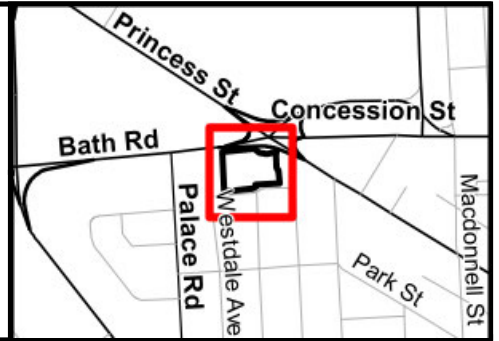
The applicant may be required to further review the state of archaeological resources on the property depending on the recommendations of the report and subject to input and review from the Ministry of Citizenship and Multiculturalism. The City shall not be restricted in its ability to determine requirements 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.



### Committee of Adjustment Key Map

Address: 920 Princess St  
File Number: D13-009-2024  
Prepared On: Mar-28-2024

- Subject Lands
- Lands Subject to Minor Variance







# Committee of Adjustment Neighbourhood Context

Address: 920 Princess St  
File Number: D13-009-2024  
Prepared On: Feb-12-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



Warranty: This document is subject to copyright and may only be used for the specific purpose and conditions set forth in the copyright notice. The City of Kingston assumes no responsibility for any errors and does not accept any liability for any loss or damage of any kind resulting from the use of or reliance on the information contained in this document. The City of Kingston disclaims any responsibility for any errors or omissions, including those caused by third parties, in this document. ©2024 The City of Kingston.

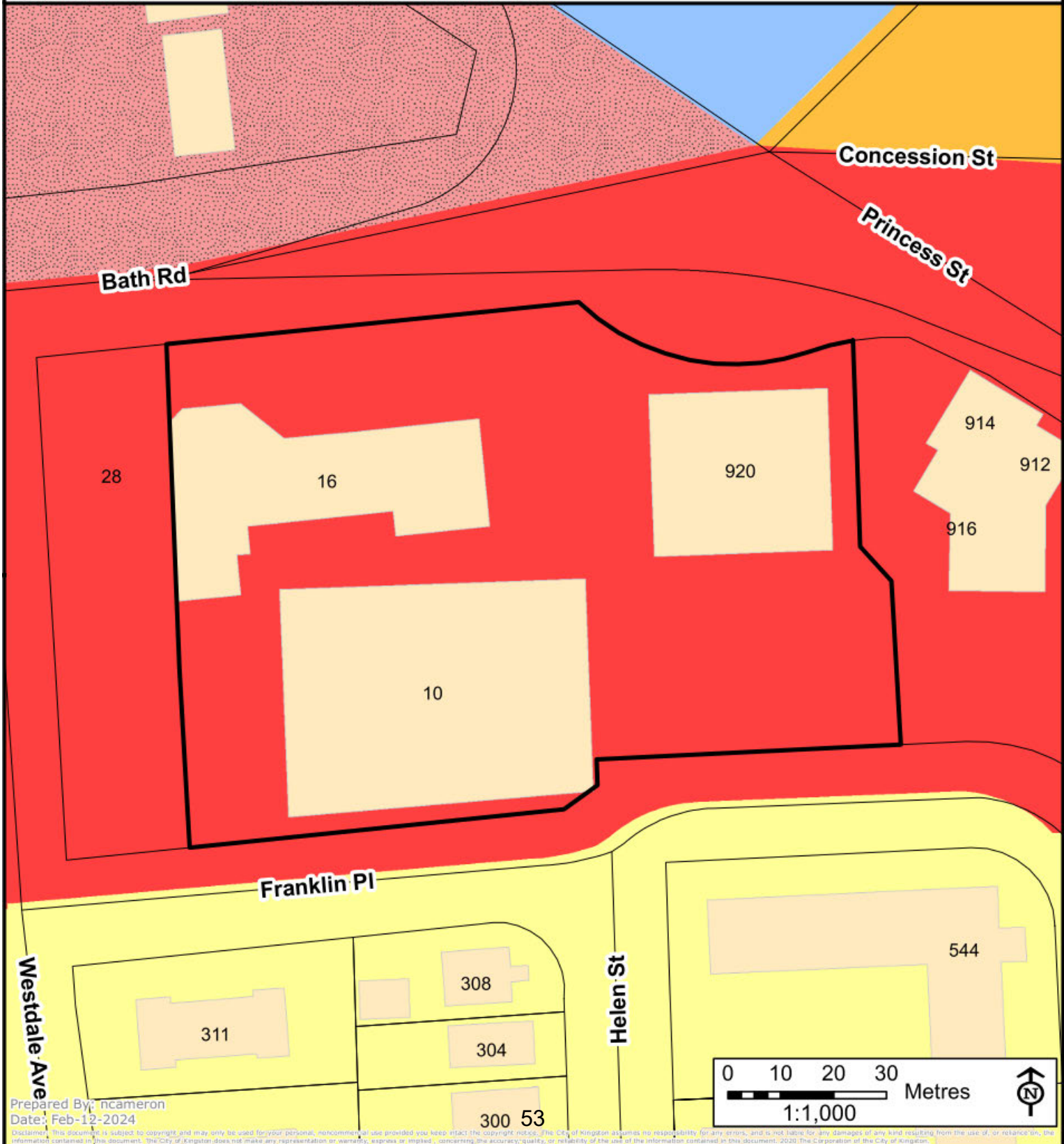




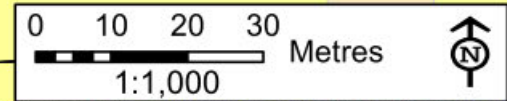
# Committee of Adjustment Official Plan, Existing Land Use

Address: 920 Princess St  
File Number: D13-009-2024  
Prepared On: Feb-12-2024

-  Subject Lands
-  ARTERIAL COMMERCIAL
-  BUSINESS PARK INDUSTRIAL
-  DISTRICT COMMERCIAL
-  MAIN STREET COMMERCIAL
-  RESIDENTIAL



Prepared By: ncameron  
Date: Feb-12-2024



Disclaimer: This document is subject to copyright and may only be used for your personal, non-commercial use provided you keep intact the copyright notice. The City of Kingston assumes no responsibility for any errors, and is not liable for any damages of any kind resulting from the use of, or reliance on, the information contained in this document. The City of Kingston does not make any representation or warranty, express or implied, concerning the accuracy, quality, or reliability of the data or information contained in this document. ©2020 The Corporation of the City of Kingston.



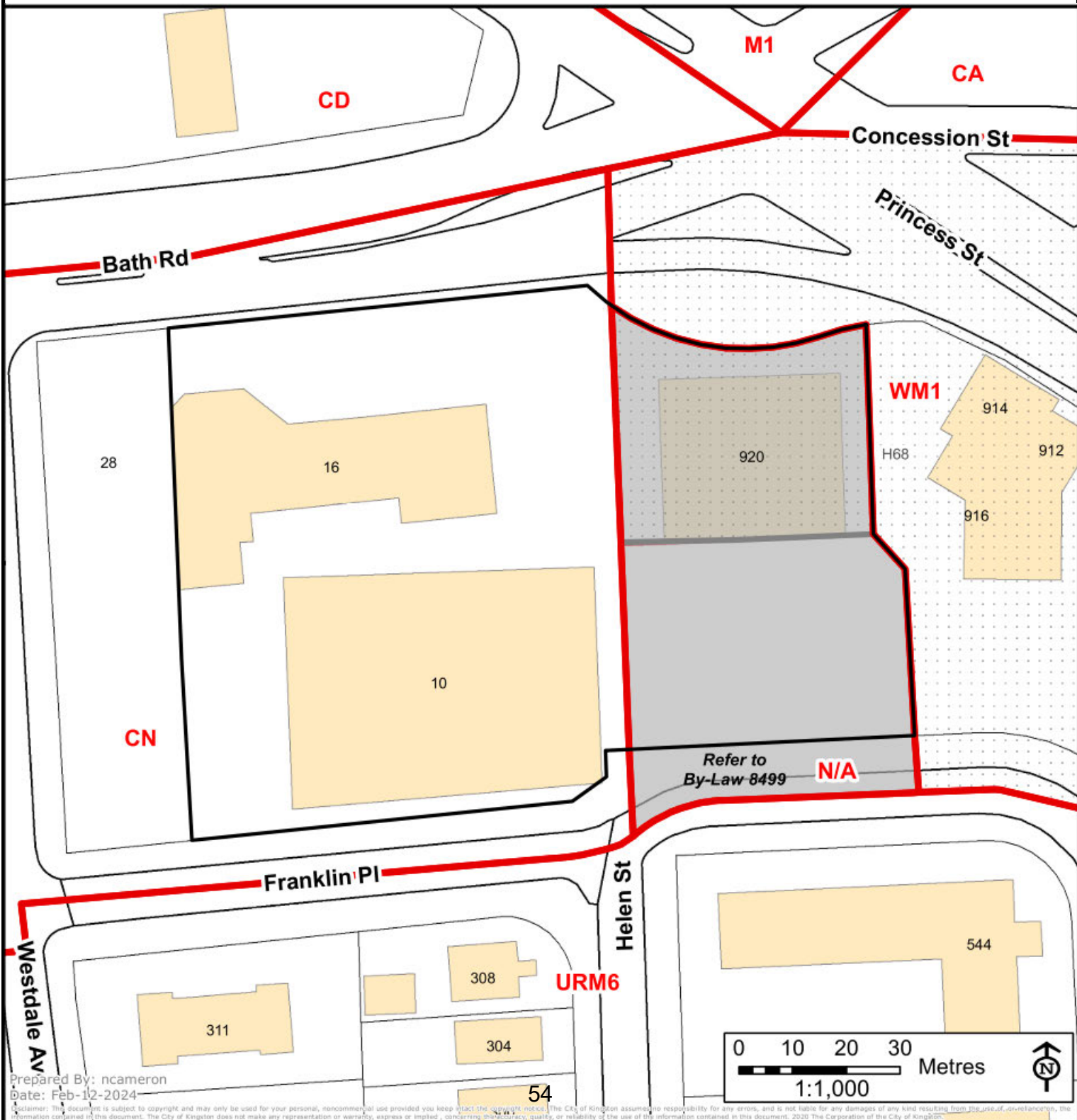
Committee of Adjustment

Planning Services

### Kingston Zoning By-Law 2022-62

Address: 920 Princess St  
File Number: D13-009-2024  
Prepared On: Feb-12-2024

- 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)

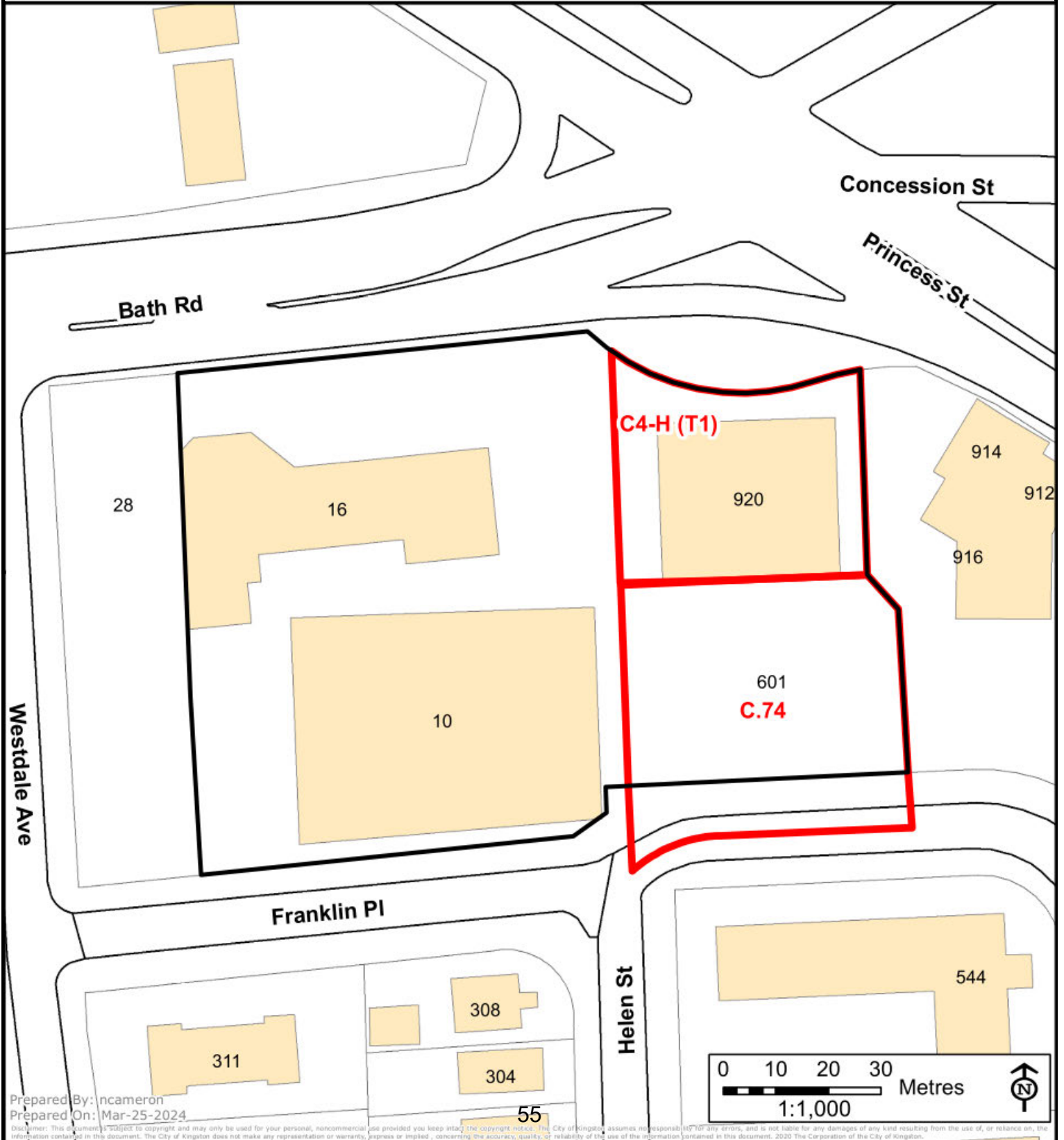




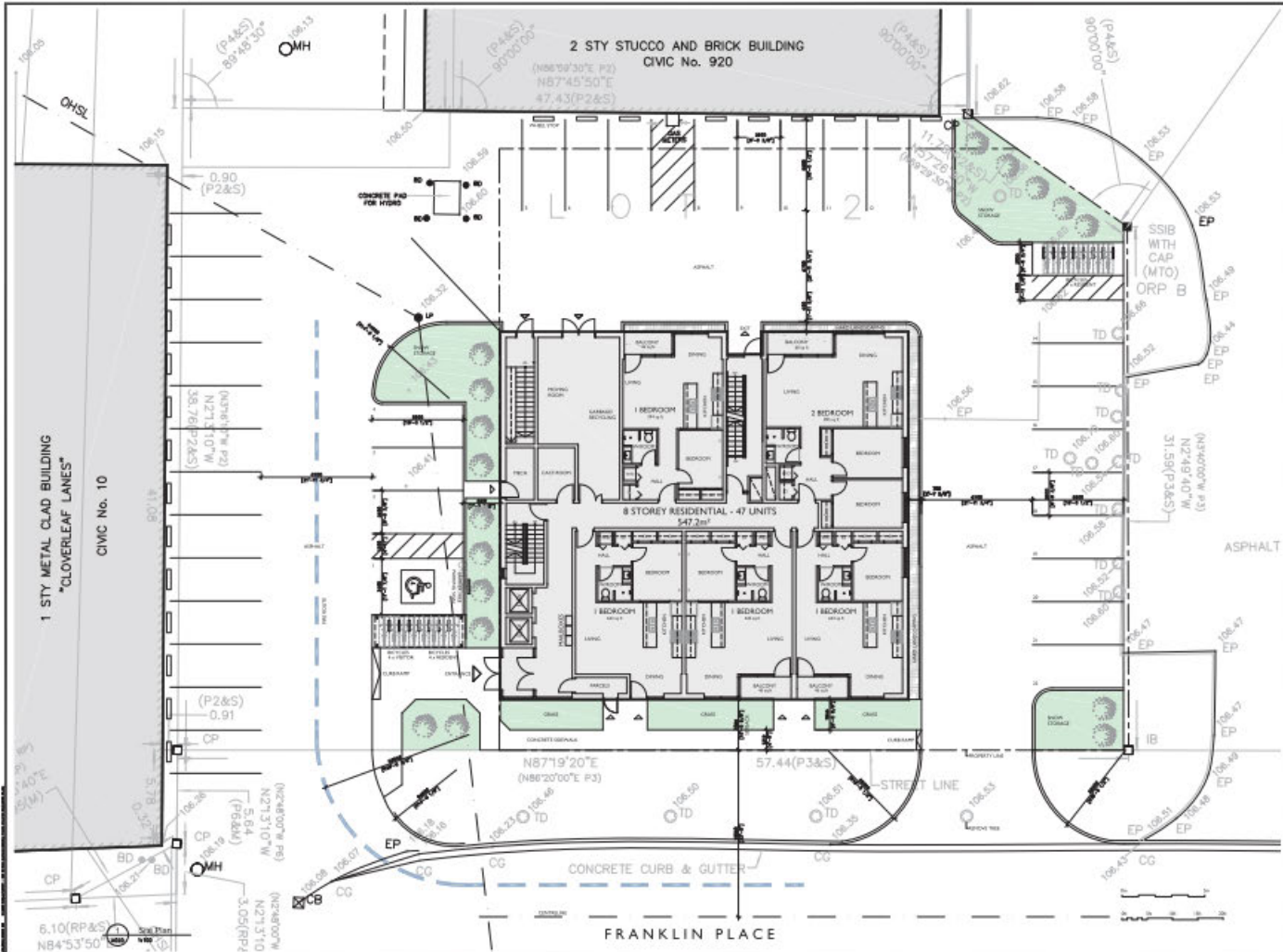
# Committee of Adjustment Zoning By-Law 8499 Map

Address: 920 Princess St.  
File Number: D13-009-2024

- Subject Lands
- Consolidated Zoning







**SPR**  
Spray and Seals Asphalt Ltd.

Project Name:  
Location of Project:  
Client:  
Date:  
Scale:  
Drawing No.:

This is a preliminary drawing and should not be used for construction without the approval of the Engineer. The Engineer is not responsible for any errors or omissions in this drawing.

**LEGEND**

1	RESIDENTIAL UNITS	1:1
2	RESIDENTIAL UNITS	1:1
3	RESIDENTIAL UNITS	1:1
4	RESIDENTIAL UNITS	1:1
5	RESIDENTIAL UNITS	1:1
6	RESIDENTIAL UNITS	1:1
7	RESIDENTIAL UNITS	1:1
8	RESIDENTIAL UNITS	1:1
9	RESIDENTIAL UNITS	1:1
10	RESIDENTIAL UNITS	1:1
11	RESIDENTIAL UNITS	1:1
12	RESIDENTIAL UNITS	1:1
13	RESIDENTIAL UNITS	1:1
14	RESIDENTIAL UNITS	1:1
15	RESIDENTIAL UNITS	1:1
16	RESIDENTIAL UNITS	1:1
17	RESIDENTIAL UNITS	1:1
18	RESIDENTIAL UNITS	1:1
19	RESIDENTIAL UNITS	1:1
20	RESIDENTIAL UNITS	1:1
21	RESIDENTIAL UNITS	1:1
22	RESIDENTIAL UNITS	1:1
23	RESIDENTIAL UNITS	1:1
24	RESIDENTIAL UNITS	1:1
25	RESIDENTIAL UNITS	1:1
26	RESIDENTIAL UNITS	1:1
27	RESIDENTIAL UNITS	1:1
28	RESIDENTIAL UNITS	1:1
29	RESIDENTIAL UNITS	1:1
30	RESIDENTIAL UNITS	1:1
31	RESIDENTIAL UNITS	1:1
32	RESIDENTIAL UNITS	1:1
33	RESIDENTIAL UNITS	1:1
34	RESIDENTIAL UNITS	1:1
35	RESIDENTIAL UNITS	1:1
36	RESIDENTIAL UNITS	1:1
37	RESIDENTIAL UNITS	1:1
38	RESIDENTIAL UNITS	1:1
39	RESIDENTIAL UNITS	1:1
40	RESIDENTIAL UNITS	1:1
41	RESIDENTIAL UNITS	1:1
42	RESIDENTIAL UNITS	1:1
43	RESIDENTIAL UNITS	1:1
44	RESIDENTIAL UNITS	1:1
45	RESIDENTIAL UNITS	1:1
46	RESIDENTIAL UNITS	1:1
47	RESIDENTIAL UNITS	1:1
48	RESIDENTIAL UNITS	1:1
49	RESIDENTIAL UNITS	1:1
50	RESIDENTIAL UNITS	1:1
51	RESIDENTIAL UNITS	1:1
52	RESIDENTIAL UNITS	1:1
53	RESIDENTIAL UNITS	1:1
54	RESIDENTIAL UNITS	1:1
55	RESIDENTIAL UNITS	1:1
56	RESIDENTIAL UNITS	1:1
57	RESIDENTIAL UNITS	1:1
58	RESIDENTIAL UNITS	1:1
59	RESIDENTIAL UNITS	1:1
60	RESIDENTIAL UNITS	1:1
61	RESIDENTIAL UNITS	1:1
62	RESIDENTIAL UNITS	1:1
63	RESIDENTIAL UNITS	1:1
64	RESIDENTIAL UNITS	1:1
65	RESIDENTIAL UNITS	1:1
66	RESIDENTIAL UNITS	1:1
67	RESIDENTIAL UNITS	1:1
68	RESIDENTIAL UNITS	1:1
69	RESIDENTIAL UNITS	1:1
70	RESIDENTIAL UNITS	1:1
71	RESIDENTIAL UNITS	1:1
72	RESIDENTIAL UNITS	1:1
73	RESIDENTIAL UNITS	1:1
74	RESIDENTIAL UNITS	1:1
75	RESIDENTIAL UNITS	1:1
76	RESIDENTIAL UNITS	1:1
77	RESIDENTIAL UNITS	1:1
78	RESIDENTIAL UNITS	1:1
79	RESIDENTIAL UNITS	1:1
80	RESIDENTIAL UNITS	1:1
81	RESIDENTIAL UNITS	1:1
82	RESIDENTIAL UNITS	1:1
83	RESIDENTIAL UNITS	1:1
84	RESIDENTIAL UNITS	1:1
85	RESIDENTIAL UNITS	1:1
86	RESIDENTIAL UNITS	1:1
87	RESIDENTIAL UNITS	1:1
88	RESIDENTIAL UNITS	1:1
89	RESIDENTIAL UNITS	1:1
90	RESIDENTIAL UNITS	1:1
91	RESIDENTIAL UNITS	1:1
92	RESIDENTIAL UNITS	1:1
93	RESIDENTIAL UNITS	1:1
94	RESIDENTIAL UNITS	1:1
95	RESIDENTIAL UNITS	1:1
96	RESIDENTIAL UNITS	1:1
97	RESIDENTIAL UNITS	1:1
98	RESIDENTIAL UNITS	1:1
99	RESIDENTIAL UNITS	1:1
100	RESIDENTIAL UNITS	1:1

Scale: 1" = 10'-0"

North Arrow

Site Plan

Scale: 1" = 10'-0"

North Arrow

Site Plan



Site Photographs – 920 Princess Street

D13-009-2024



**Figure 1.** North facing view along Franklin frontage of the undeveloped portion of the subject property (photo taken March 22, 2024).



**Figure 2.** Northwest facing view from the vacant portion of the property showing the existing commercial buildings and parking areas located on the subject site (photo taken March 22, 2024).



**Figure 3.** North facing view along the Franklin Place frontage of the subject property demonstrating the existing paved parking areas (photo taken March 22, 2024).





**Figure 4.** South facing view of the vacant portion of the subject property facing towards 544 College Street, an existing 4 storey building across from the subject site (photo taken March 22, 2024).



**Figure 5.** Southwest facing view along Franklin Place, showing the existing built form along Helen Street. The house at the corner being addressed as 308 Helen Street (photo taken March 22, 2024).



**Figure 6.** The existing building addressed as 920 Princess Street on the subject property, which includes a variety of commercial opportunities (photo taken March 22, 2024).



**Figure 7.** South facing view on the subject property towards Franklin Place, illustrating the existing buildings located at 920 Princess Street, 10 Bath Road and 16 Bath Road. The photo shows the existing parking configuration on the rest of the property (photo taken March 22, 2024).





**Figure 8.** The existing building addressed as 16 Bath Road on the subject property, which includes a variety of commercial opportunities (photo taken March 22, 2024).





**Figure 9.** Additional commercial opportunities located across the Bath Road frontage of the subject property (photo taken March 22, 2024).



**Figure 10.** Bus stop within walking distance of the subject property (photo taken March 22, 2024).



**Figure 11.** Southeast facing view towards 541 College Street, an existing 4 storey building across from the subject site (photo taken March 22, 2024).



**Figure 12.** West facing view along Franklin Place towards the vacant portion of the subject property (photo taken March 22, 2024).





**Figure 13.** North facing view along Helen Street towards the vacant portion of the subject property with 920 Princess St and 10 Bath Road (photo taken March 22, 2024).



**Figure 14.** Example of existing 8 storey, multi-unit apartment building at 316 Westdale (photo taken March 22, 2024).





**Figure 15.** Example of the diverse built form along Westdale Avenue within close proximity to the subject property illustrating a variety of building heights (photo taken March 22, 2024).



**Figure 16.** Example of existing 13 storey, multi-unit apartment building at 175 Park Street (photo taken from Google Streetview, November 2020).

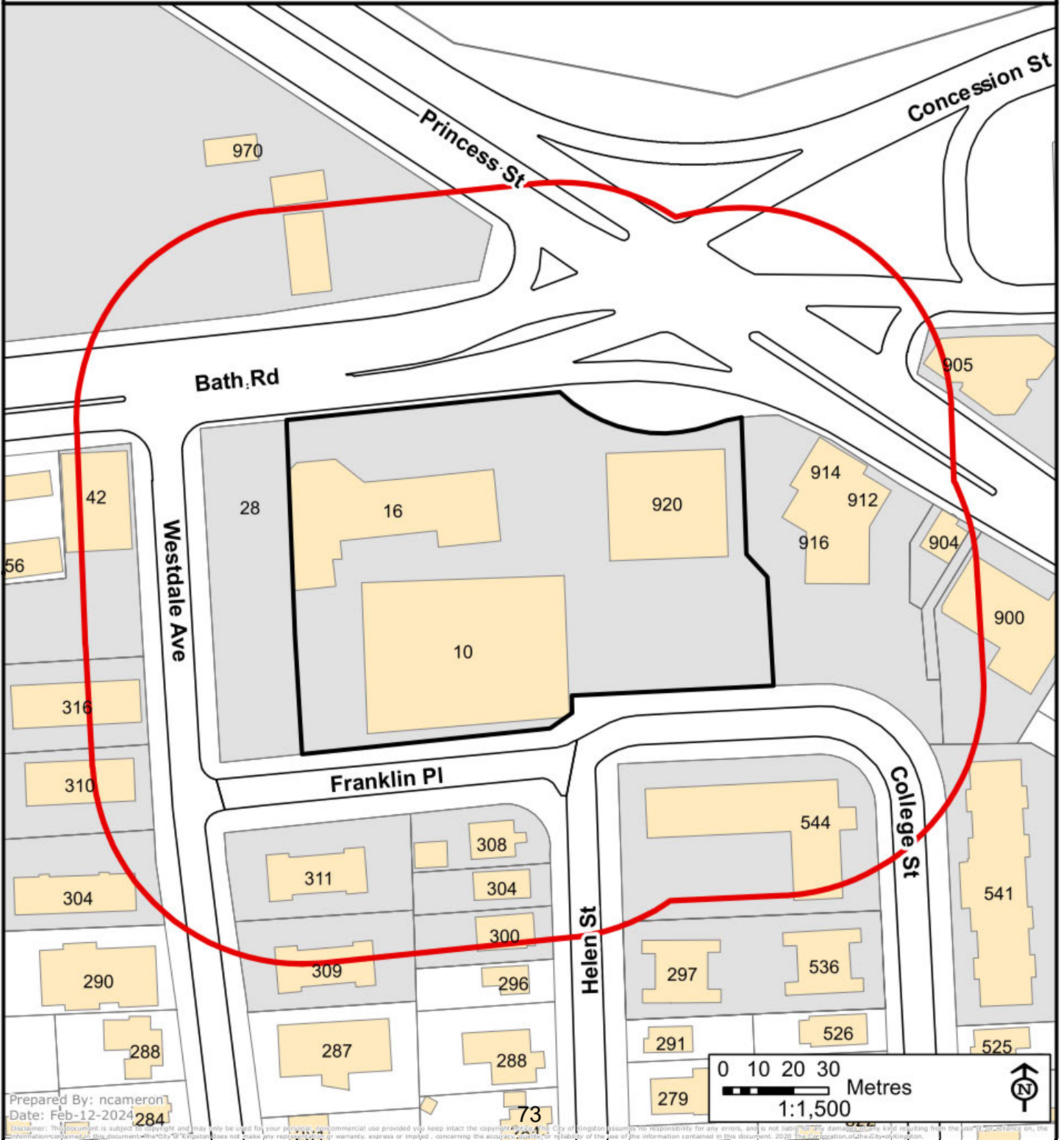




# Committee of Adjustment Public Notice Notification Map

Address: 920 Princess St  
File Number: D13-009-2024  
Prepared On: Feb-12-2024

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



Prepared By: ncameron  
Date: Feb-12-2024

Disclaimer: This document is subject to copyright and may only be used for your personal or commercial use provided you keep intact the copyright notice. The City of Kingston assumes no responsibility for any errors, and is not liable for any damages, directly or indirectly, resulting from the use of this information. The information contained in this document is for informational purposes only and does not constitute an offer of any financial product or service. For more information, please contact the City of Kingston at 361-2222.

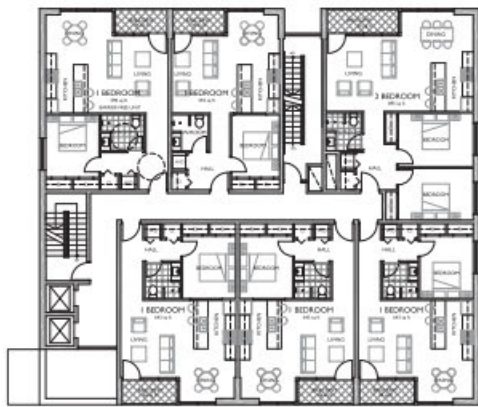


**SWA**  
**Shaw and Steinhilber Architects Ltd.**

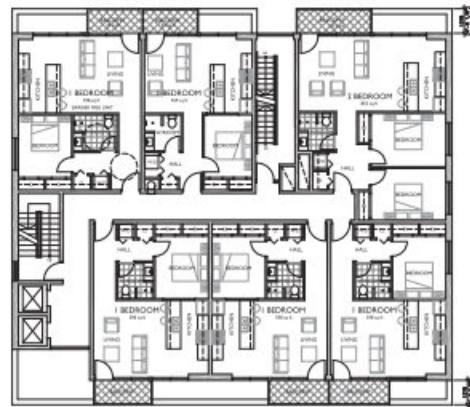


Project Name:  
Location of Project Name:  
2024 Princess Street, Suite 500, Ottawa, ON K1P 2Y7  
Tel: 613-561-1111  
www.swa.com

This is a preliminary drawing and shall not be used for construction or other purposes without the written consent of the architect. The architect shall not be responsible for any errors or omissions in this drawing or any other drawings or specifications prepared by the architect or any other person. The architect shall not be responsible for any construction or other work done in reliance on this drawing or any other drawings or specifications prepared by the architect or any other person.



Second to Fourth Floors



Fifth to Eighth Floors

Section	Description	Date
1024	Residential Units	
Location: 202 Princess Street		
Client: Spryger Group		
Scope: Second to Fourth Floors Fifth to Eighth Floors		
Drawn by:	SWA	Dec 2023
Rev. No.:	1024-01	1/2024
Project #:	2024-01	1024-01
Sheet #:	1024-01	A2







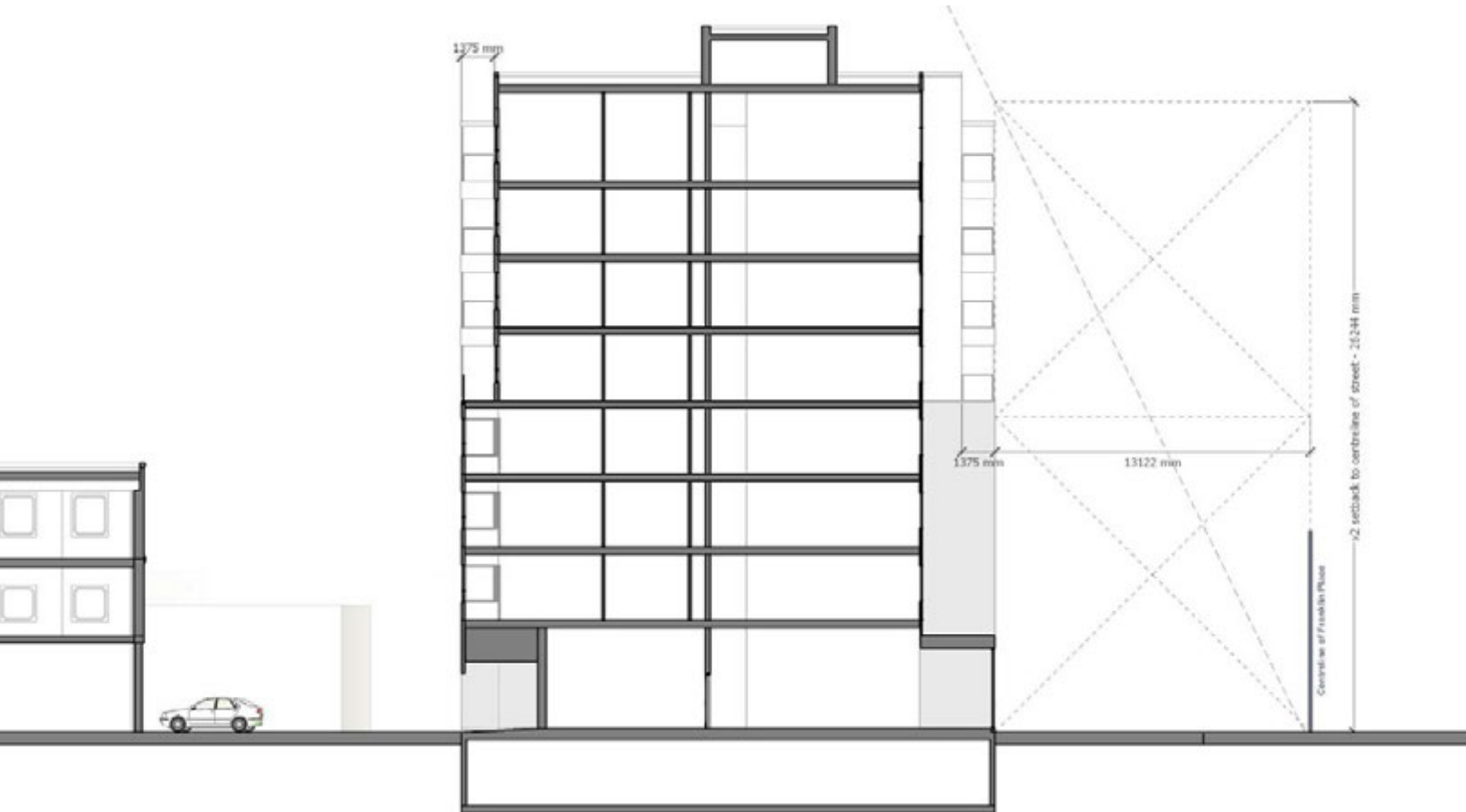










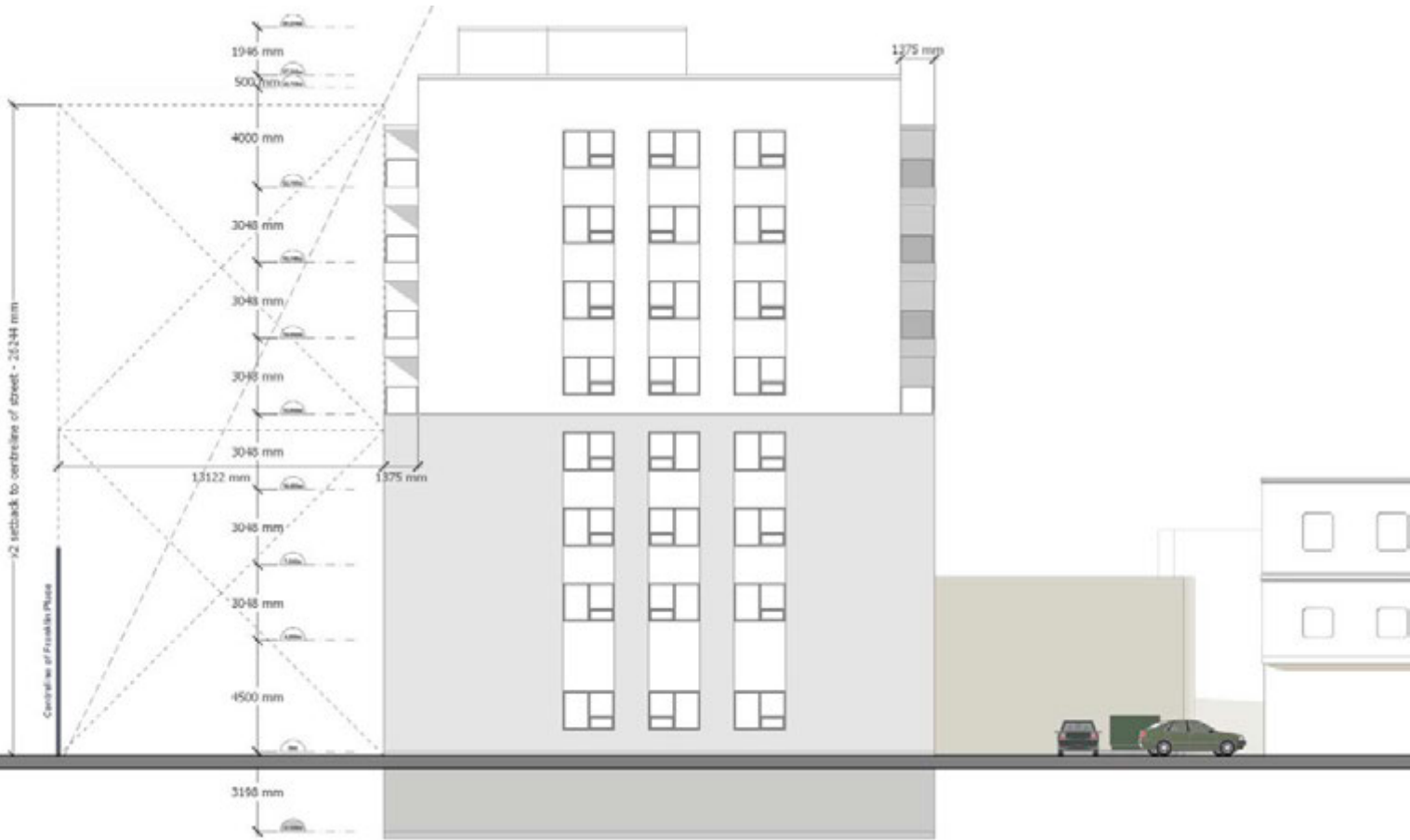


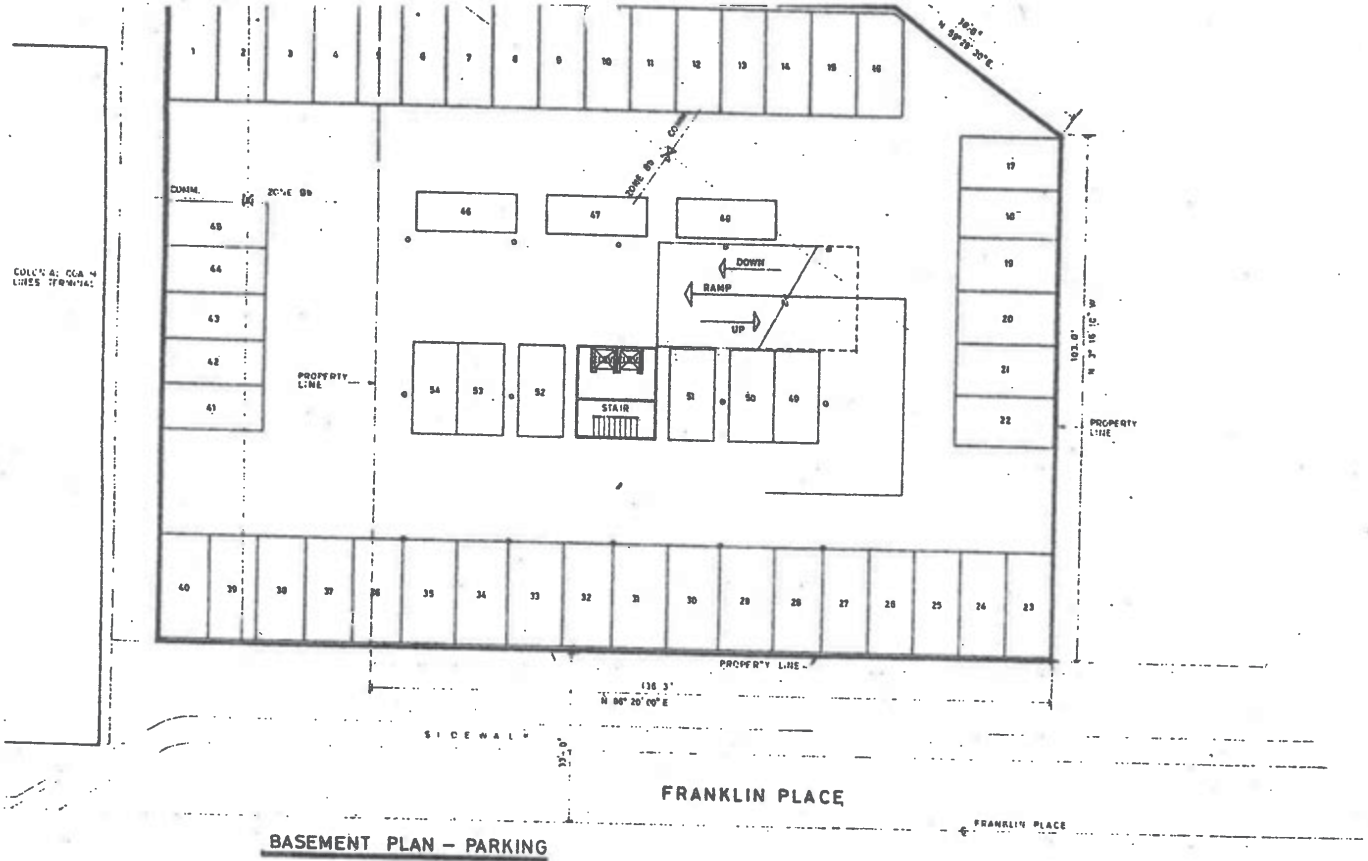












SCHEME 'F'

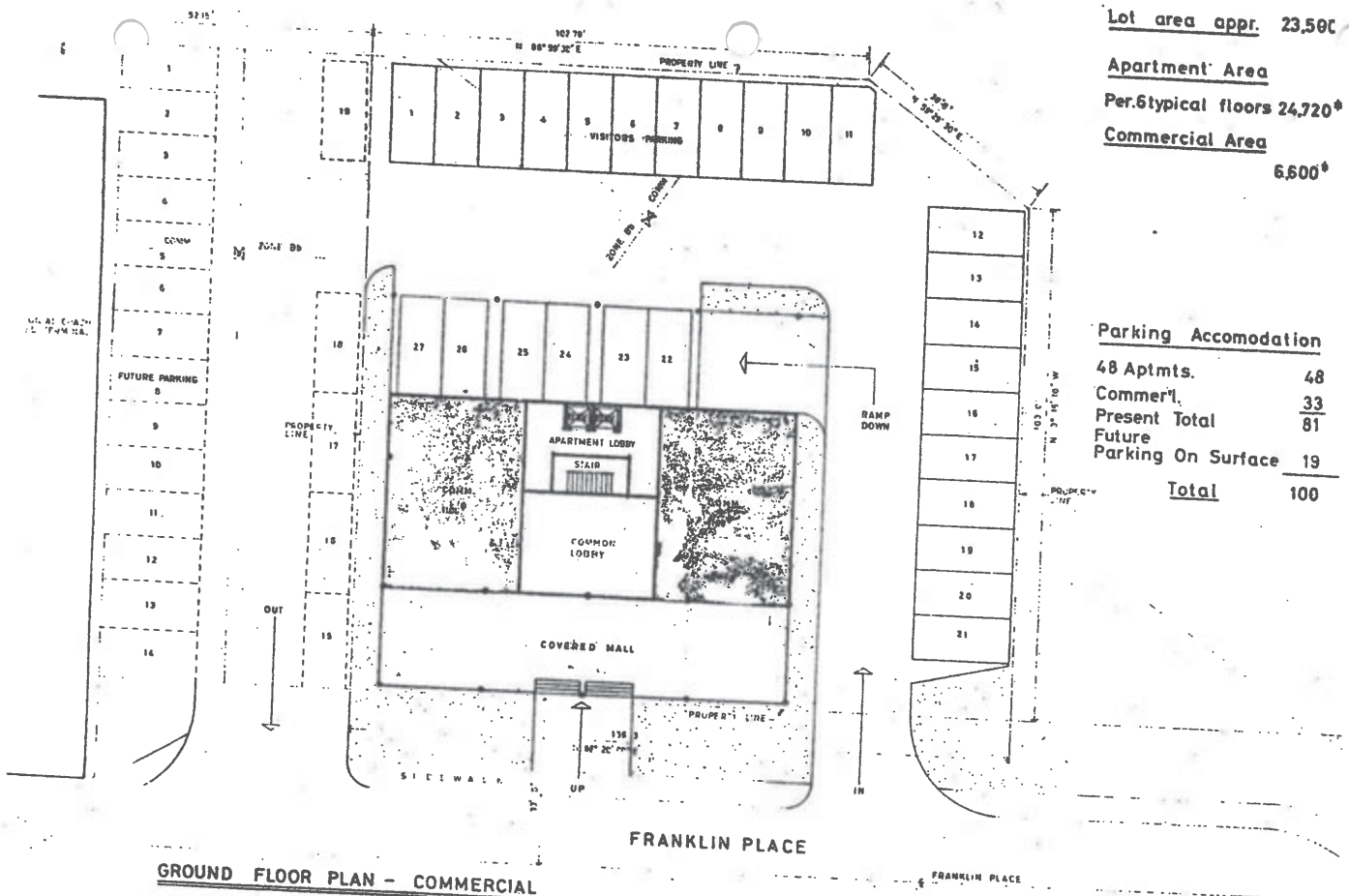
PROPOSED COMMERCIAL & APARTMENT COMPLEX  
FRANKLIN PLACE  
JOB NO. 6918

SCHEMATIC STUDY  
RINGTON ONTARIO  
NOVEMBER 1970

SCALE  
1/8" = 1'-0"

COPYRIGHT  
ERNEST & CROMAR'S  
ARCHITECT  
RINGTON ONTARIO

SCHEDULE H-1



Lot area appr. 23,500

Apartment Area  
Per. 6 typical floors 24,720<sup>+</sup>  
Commercial Area  
6,600<sup>+</sup>

**Parking Accomodation**

48 Aptmts.	48
Commer'l.	33
Present Total	81
Future Parking On Surface	19
<b>Total</b>	<b>100</b>

GROUND FLOOR PLAN - COMMERCIAL

SCHEME 'F'

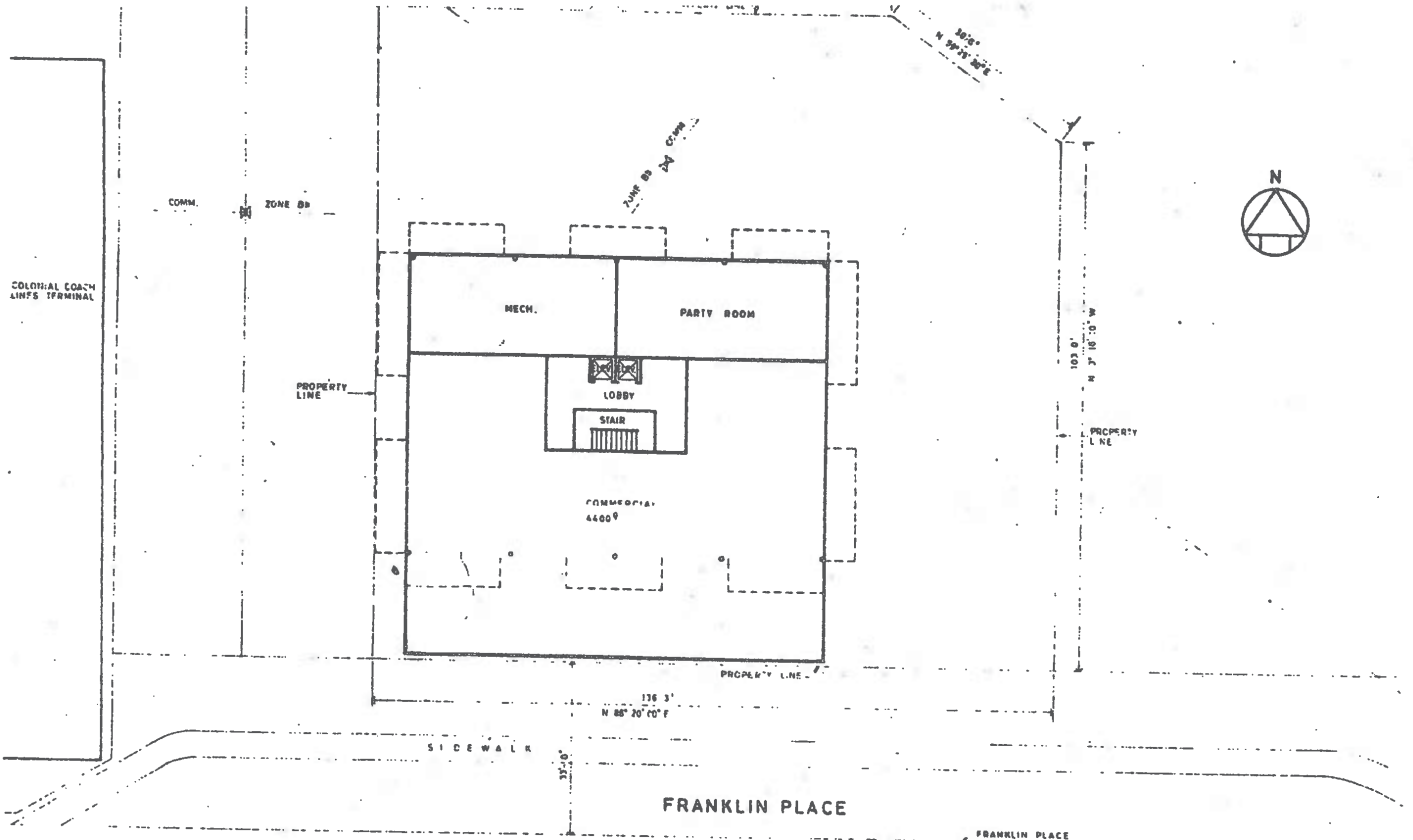
PROPOSED COMMERCIAL & APARTMENT COMPLEX  
FRANKLIN PLACE  
JOB NO. 8918

SCHEMATIC STUDY  
KINGSTON ONTARIO  
NOVEMBER 1970

SCALE  
1/16" = 1'-0"

COPYRIGHT  
EDMUND A. CROMBIE ARCHITECT  
KINGSTON ONTARIO

SCHEDULE H-2



SECOND FLOOR PLAN - COMMERCIAL

SCHEME 'F'

PROPOSED COMMERCIAL & APARTMENT COMPLEX  
 FRANKLIN PLACE  
 JOB NO. 6918

SCHEMATIC STUDY  
 RINGSTON ONTARIO  
 NOVEMBER 1970

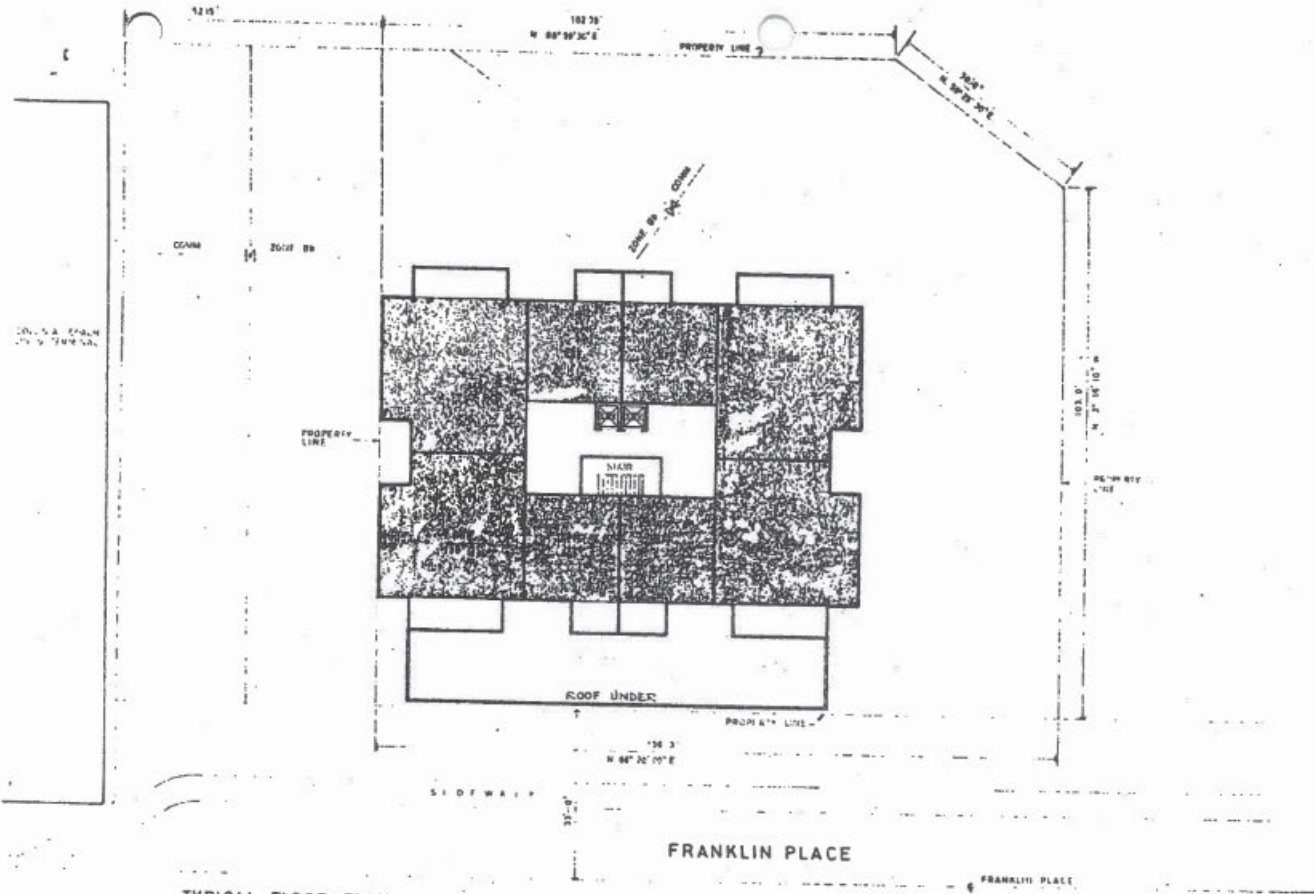
SCALE  
 1/16" = 1'-0"

COPYRIGHT

ERNEST A. CROMBIE  
 ARCHITECT  
 RINGSTON ONTARIO

3

SCHEDULE H-3



TYPICAL FLOOR PLAN

SCHEME 'F'

PROPOSED COMMERCIAL & APARTMENT COMPLEX  
 FRANKLIN PLACE

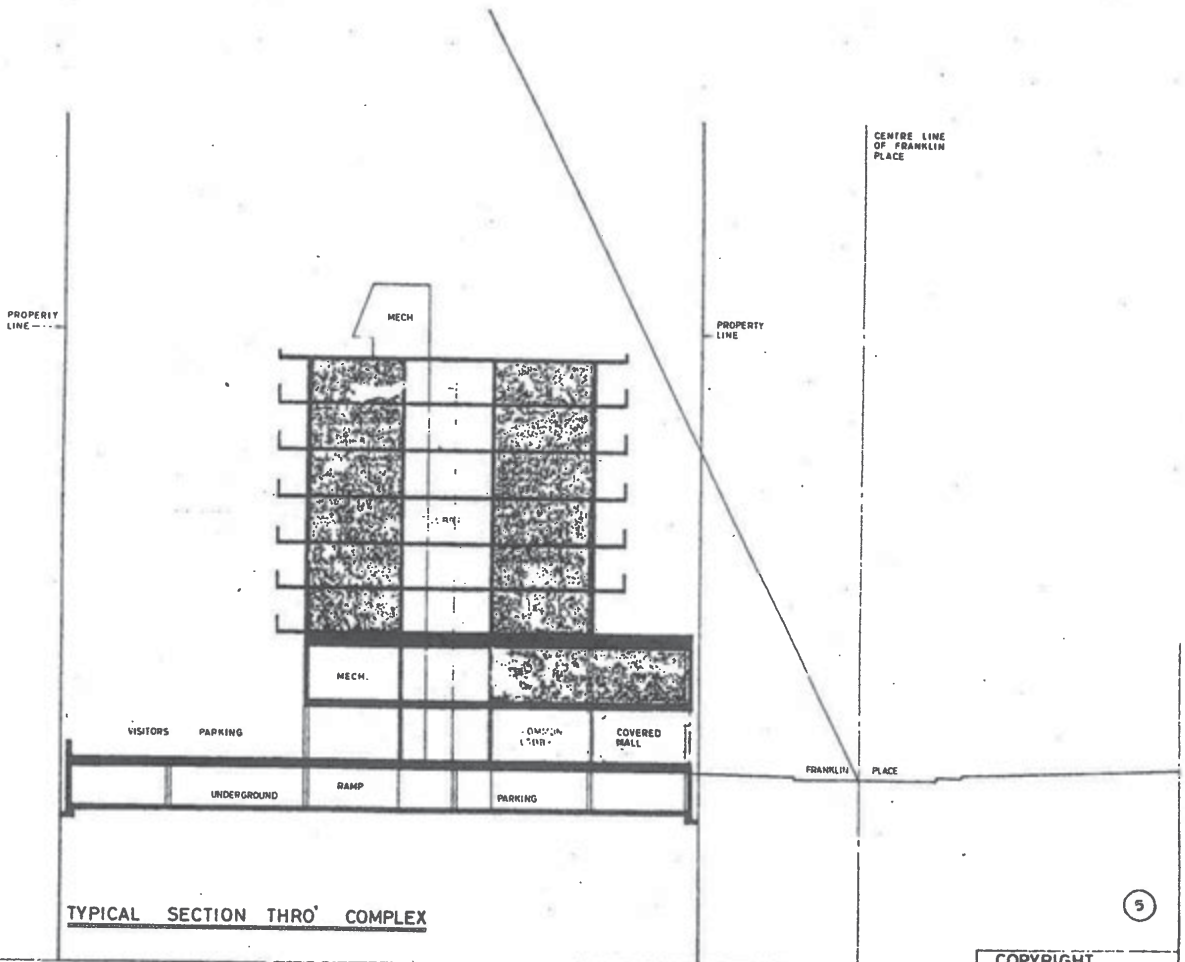
SCHEMATIC STUDY  
 KINGSTON ONTARIO  
 NOVEMBER 1970

SCALE  
 1/8\"/>

COPYRIGHT  
 ERNEST A. CRONIN  
 ARCHITECT  
 KINGSTON ONTARIO

SCHEDULE H-4





SCHEME 'C'

PROPOSED COMMERCIAL & APARTMENT COMPLEX

SCHEMATIC STUDY

SCALE

COPYRIGHT

SCHEDULE H-5