



City of Kingston
Planning Committee
Agenda

22-2024

Thursday, November 7, 2024

6:00 p.m.

Council Chamber

Committee Composition

Councillor Cinanni; Chair

Councillor Chaves

Councillor Glenn

Councillor McLaren

Councillor Oosterhof

Councillor Osanic

Please provide regrets to Christine O'Connor, Committee Clerk at 613-546-4291, extension 1219 or cloconnor@cityofkingston.ca
Watch live on the [City of Kingston website](#) or register to receive the [Zoom](#) link.

1. Introduction by the Chair

The meetings being held tonight are public meetings held under the Planning Act.

Notice of Collection – Personal information collected as a result of the public meetings are collected under the authority of the Planning Act and will be used to assist in making a decision on this matter. Persons speaking at the meeting are requested to give their name and address for recording in the minutes. All names, addresses, opinions and comments may be collected and may form part of the minutes which will be available to the public. Additionally, interested members of the public can email the Committee Clerk or the assigned planner if they wish to be notified regarding a particular application. Questions regarding this collection should be forwarded to the Director of Planning Services.

The first portion of tonight's meeting is to present planning applications in a public forum as detailed in the community meeting report. This report does not contain a staff recommendation and therefore no decisions will be made this evening. Each application in the community meeting report will be presented individually and following each presentation by the applicant, the meeting will be opened to the public for comments and questions.

The second portion of tonight's meeting is to consider public meeting reports. These reports do contain a staff recommendation and the recommendation is typically to approve (with conditions) or to deny. After the planner's presentation, Committee members will be able to ask questions of staff, followed by members of the public. Following the question-and-answer period, this Committee then makes a recommendation on the applications to City Council who has the final say on the applications.

Following Council decision, notice will be circulated in accordance with the Planning Act. If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Kingston to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body is not entitled to appeal the decision.

2. Community Meeting items

The purpose of the Community Meeting is to provide the applicant with an opportunity to present a potential development proposal in the early stages of the development process and to seek feedback from the public and members of Planning Committee before a complete application is submitted to the City. Anyone who attends a Community Meeting may present an oral submission, and/or provide a written submission on the proposals being presented.

The Report of the Commissioner of Growth & Development Services (PC-24-018) is attached.

Details of the development proposals to be presented at the Community Meeting are listed below.

Exhibit A

File Number: D14-014-2024

Address: 1315 Midland Avenue

3. Call to Order

4. Approval of the Agenda

5. Confirmation of Minutes

That the minutes of Planning Committee Meeting Number 19-2024, held Thursday, October 24, 2024, be approved.

6. Disclosure of Pecuniary Interest

7. Delegations

8. Briefings

9. Business

1. Recommendation Report - 1233 Midland Avenue

File Number: D35-005-2021

Address: 1233 Midland Avenue

District: District 2 - Loyalist-Cataraqui

Application Type: Zoning By-Law Amendment and Draft Plan of Subdivision

Owner: 1000208656 Ontario Inc.

Applicant: Kingston Midland and Cataraqui Corp. and Fotenn Consultants Inc.

The Report of the Commissioner of Growth & Development Services (PC-24-058) is attached.

Recommendation:

That the Planning Committee recommends to Council:

That the applications for zoning by-law amendments and draft plan of subdivision (File Number D35-005-2021) submitted by Kingston Midland and Cataraqui Corp. and Fotenn Consultants Inc., on behalf of 1000208656 Ontario Inc., for the property municipally known as 1233 Midland Avenue, be approved; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit A (Draft By-Law and Schedules A and B to Amend Zoning By-Law Number 202262) to Report Number PC-24-058; and

That the draft plan of subdivision be subject to the conditions as per Exhibit C (Draft Plan of Subdivision Conditions) to Report Number PC-24-058; and

That Council determines that in accordance with Section 34(17) of the Planning Act, no further notice is required prior to the passage of the by-law; and That the amending by-law be presented to Council for all three readings.

10. Motions

11. Notices of Motion

12. Other Business

13. Correspondence

1. **Correspondence received October 3 - October 8, 2024, regarding 1315 Midland Avenue**

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14. Date of Next Meeting

The next meeting of the Planning Committee is scheduled for Thursday, November 21, 2024 at 6:00 p.m.

15. Adjournment

Planning Committee Updates

Approved Site Plan Items

- D11-009-2023 – 595 Bagot Street
- D11-002-2024 – 156 Duff Street
- D11-017-2023 – 1580 Rockwell Drive
- D11-014-2023 – 290 Queen Street
- D11-024-2021 – 705 Development Drive
- D11-046-2020 – 870 Centennial Drive
- D11-029-2021 – 2702 2 Highway
- D11-004-2023 – 1752 Bath Road
- D11-046-2020 – 870 Centennial Road
- D11-016-2022 – 1533 McAdoo's Lane

Applications Appealed to the Ontario Land Tribunal

1. 2 River Street – OLT-22-004597 – OPA/ZBA – 5-week Hearing commenced on February 5, 2024. Hearing concluded. Waiting on written decision.
2. 4085 Bath Road – OPA/ZBA – Next case management conference to be held in late October or late November.

Links to Land Use Planning Documents

Planning Act: <https://www.ontario.ca/laws/statute/90p13>

Provincial Policy Statement: <https://www.ontario.ca/page/provincial-policy-statement-2020>

City of Kingston Official Plan: <http://www.cityofkingston.ca/business/planning-and-development/official-plan>

City of Kingston Zoning By-Laws: <https://www.cityofkingston.ca/business/planning-and-development/zoning>



**City of Kingston
Report to Planning Committee
Report Number PC-24-057**

To: Chair and Members of the Planning Committee
From: Paige Agnew, Commissioner, Growth & Development Services
Resource Staff: Tim Park, Director, Planning Services
Date of Meeting: November 7, 2024
Subject: Community Meeting Report
File Number: D14-014-2024

Council Strategic Plan Alignment:

Theme: 5. Drive Inclusive Economic Growth

Goal: 5.3 Diversify Kingston's economic base.

Executive Summary:

The following is a Community Meeting Report enclosing information about the following applications that will be subject to a Community Meeting at Planning Committee, with a presentation by the applicant:

- Address: 1315 Midland Ave (File Number D14-014-2024)

November 7, 2024

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,
Growth & Development Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Jennifer Campbell, Commissioner, Community Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

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Options/Discussion:

Non-Statutory Community Meeting

The purpose of the Community Meeting is to provide the applicant with an opportunity to present a potential development proposal in the early stages of the development process and to seek feedback from the public and members of Planning Committee before a complete application is submitted to the City. Anyone who attends a Community Meeting may present an oral submission, and/or provide a written submission on the proposals being presented.

A Community Meeting Form (completed by the applicant) and a standard map package showing the location of the subject site, and relevant Official Plan land use designation and zoning information for each proposal are included as an exhibit to this report, as follows:

- 1315 Midland Avenue, File Number D14-014-2024 (Exhibit A)

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.

Statutory Public Meeting

If the applications proceed to a complete application, a Statutory Public Meeting for each application will be scheduled at a later date and further Notice regarding the Public Meeting will be provided in accordance with the *Planning Act*.

Existing Policy/By-Law:

Planning Act

Provincial Planning Statement, 2024

City of Kingston Official Plan

Kingston Zoning By-Law Number 2022-62

By-Law Number 2007-43, A By-Law to require Development Proponents to Pre-Consult with The Corporation of the City of Kingston respecting Planning Matters

Notice Provisions:

Notices were sent by mail to all property owners (according to the latest Assessment Rolls) within 120 metres of the subject properties and a notice sign was posted on the subject properties.

November 7, 2024

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Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

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

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Community Meeting Form, Application Materials and Map Package for 1315
Midland Avenue (File Number D14-014-2024)



City of Kingston Community Meeting Form

Note to Applicant: This Form is to be completed by the Applicant and is intended to provide a detailed description of the site, locational context and the proposed application as the basis for a Community Meeting at Planning Committee. The only supplementary information that will be provided by Staff for the Community Meeting is a map package (location, Official Plan, zoning, etc). Please keep residents and members of Planning Committee in mind when completing this form by ensuring that all information is thorough, detailed and understandable. Where a field is not applicable to the site or proposal, please indicate "N/A". Since this Form will be attached as an exhibit to a staff report, this Form must be completed in a manner that is accessible. Please refrain from using formatting or tables that are not accessible. If this form is completed in a manner that is not accessible, it may result in delays to the timing of the Community Meeting and may require staff to make amendments or adjustments prior to attaching the form as an exhibit to a staff report.

Owner/Application Information

Owner: James Braden Ford

Applicant (if Owner is not the Applicant): Mike Keene (Fotenn Planning + Design)

Site Characteristics

Site address: 1315 Midland Avenue

Site area: 2.3 hectares (23,195 square metres)

Description of existing use and buildings on site (height, floor area, units, bedrooms, parking spaces, setbacks, etc): Vacant

Official Plan designation: Arterial Commercial

Zoning by-law (zone and other relevant schedules and overlays): Development Reserve (DR)

Existing number of trees: 54

Number of existing trees to be retained: 0

Description of heritage status (not a heritage building, listed, designated or located in a heritage conservation district): N/A

Description of Surrounding Uses and Buildings

East: Midland Avenue, undeveloped lands

West: Residential neighbourhood (one-storey single-detached dwellings)

North: Arterial Commercial business park

South: Tivoli Avenue, undeveloped lands

Description of Proposal

Summary description of the proposal:

The applicant is seeking to permit the development of the site with a car dealership, car wash, and car lot. The building is proposed to have a gross floor area of 2587 square metres (27,854 square feet) total, with 2133.3 square metres (22,963 square feet) of ground floor area. The building will feature distinct zones for Ford and Lincoln to operate, joined by the service reception/drive-throughs to access the rear service department. The service department will feature nine service bays and two wash/detailing bays. Separate interior and exterior yard garage doors shall permit through traffic in the service department. The entrances will not be visible from the Midland Avenue frontage, allowing the façade of the dealership to be the focal point of the development. A second floor shall provide 328.3 square metres (3534 square feet) of office and employee space above the Ford showroom.

The building is oriented to the Midland Avenue frontage, providing height (9.9 metres) and front yard setbacks (40.73 metres) compatible with existing commercial development on the arterial road. The main entrance will have three dedicated lanes, one egress, and dedicated left and right turn lanes to egress. Two entrances from Tivoli Avenue will access the rear inventory lot. Customer parking is in two zones, each in front of the distinct dealership entrances, behind a row of display cars along the frontage. Ford is proposed to have 18 spaces, two of which will be accessible spaces and two electric car spaces with an EV charger. Lincoln will have nine spots, two of which will be accessible spaces, and two will be electric car parking with an EV charger. The site will feature 403 parking spaces, primarily on the western side of the lot, for the inventory of Ford and Lincoln vehicles.

A car wash is proposed between the Tivoli Avenue entrances. Landscaped strips along the car wash's north and south sides shall reduce the structure's visibility.

A landscaped strip with trees will border the site, beautifying and adding a natural buffer to the west and future south residential uses. Detailed landscaping plans shall be prepared in support of the Site Plan Application. The existing 1.8-metre privacy fence on the western lot shall remain, providing a visual and noise barrier. The landscaping strip along Tivoli Avenue and Midland Avenue will complement the sidewalk extension in the right-of-way. This sidewalk extension will improve safe access conditions to the existing Tivoli Avenue transit stop.

Type of Application: Zoning By-law Amendment (ZBA)

Proposed use: Automobile sales establishment

Proposed number and type of residential units and bedrooms (if residential): N/A

Proposed gross floor area (of each use): 2587 m²

Proposed height: 9.9 m

Proposed setbacks:

Front: 40.37 m

Interior: 14.68 m

Exterior: 20.93 m

Rear: 93.85 m

Proposed number of vehicular parking spaces (include breakdown of occupant, visitor, car-share, accessible, etc): 407 total parking spaces (19 customer spaces, 56 service spaces, 26 employee spaces, 294 inventory spaces, 4 EV spaces, and 4 accessible spaces)

Proposed number of bicycle parking spaces: 0

Proposed landscaped open space: 11.61% landscaped open space coverage

Proposed amenity area (if residential): N/A

Proposed number of trees to be planted: 54

Description of how the application conforms with the Official Plan: The proposed development of an automobiles sales establishment conforms to the Official Plan (OP) as:

- / The site is within the Business District (Schedule 2) which are intended to accommodate employment opportunities;
- / Site is within the urban boundary and fully serviced, meeting the OP's policy direction for employment growth;

- / The building is oriented to Midland Avenue, aligning with the massing of the arterial road. The 93.85 metre rear yard setback to the residential uses on Sierra Avenue provides substantial separation to ensure there shall be no shadowing, intrusive overlook, or uncomfortable wind speeds. A privacy fence and landscape buffer further separate the areas;
- / The public realm shall be improved by extending the sidewalks along Tivoli Avenue and Midlands, providing safe access to the existing transit stop and connecting the residential area to the west with commercial uses to the east and north;
- / The site is designated as Arterial Commercial and permits the proposed use;
- / The proposed development is in keeping with the scale and design of surrounding commercial buildings in the immediate neighbourhood;
- / The proposal seeks to rezone the site to a standard similar to Arterial Commercial zone standards as other parcels in the immediate area and meets all building provisions of the proposed zone with a minor amendment for landscaped open space; and,
- / The development is not anticipated to impact services, infrastructure, or traffic, per the findings of the supporting studies and plans.

If located in an area that is subject to Official Plan policies related to source water, natural heritage system, natural heritage features and areas, hazards, cultural heritage resources, areas of archaeological potential, or areas of archaeological significance, description of how the proposal will conform with the policies: N/A

Description of amendment(s) required to the Zoning By-law:

A reduction of landscaped open space from 20% to 11% is proposed. The landscaping on the site will be a consistent 3-metre landscape buffer along all yards and landscaped end caps of the rear yard parking rows. The intention of the landscaped space is to provide adequate site drainage and beautify the site.

The car dealership's vehicle sales, servicing, and storage functions require approximately 77% of the site to be non-permeable paved. The stormwater management plan contemplated how an underground storage system can be utilized on-site to ensure post-development runoff levels do not exceed pre-development levels.

Other information that would be valuable for a Community Meeting: N/A

List of Drawings/Studies Submitted

- Conceptual Site Plan;
- Floor Plans;
- Architectural Elevations;
- Serviceability Report;
- Stormwater Management Report;
- Tree Inventory Study;

- Traffic Impact Study;
- Noise Impact Study;
- Stage 1 & 2 Archaeological Assessment;
- Planning Justification Report.

Community Meeting Form Prepared by: Gabi Scollon

Date: September 10, 2024

By-Law Number 2024-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Zone Change from ‘DR’ to ‘CA’ Zone and Introduction of Exception EXXX (1315 Midland Avenue))

Passed:

Whereas the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (the “Kingston Zoning By-law”);

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend the Kingston Zoning By-law;

Therefore be it resolved that the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-law Number 2022-62”, is amended as follows:
 - 1.1. Schedule 1 – Zoning Map is amended by changing the zone symbol from ‘DR’ to ‘CA’, as shown on Schedule “A” attached to and forming part of this By-Law;
 - 1.2. Schedule E – Exception Overlay is amended by adding Exception ‘EXXX’, as shown on Schedule “B” attached to and forming part of this By-Law;
 - 1.3. By adding the following Exception Number EXXX in Section 21 – Exceptions, as follows:

“EXXX. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

 - (a) Minimum **landscaped open space** is 11%.”
2. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes
City Clerk

Bryan Paterson
Mayor



Planning Committee

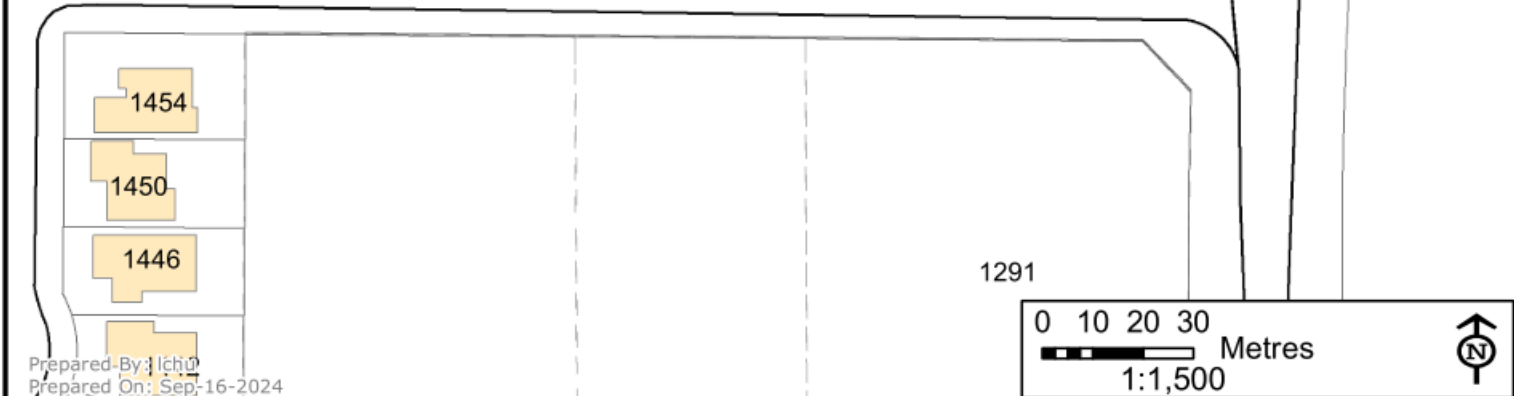
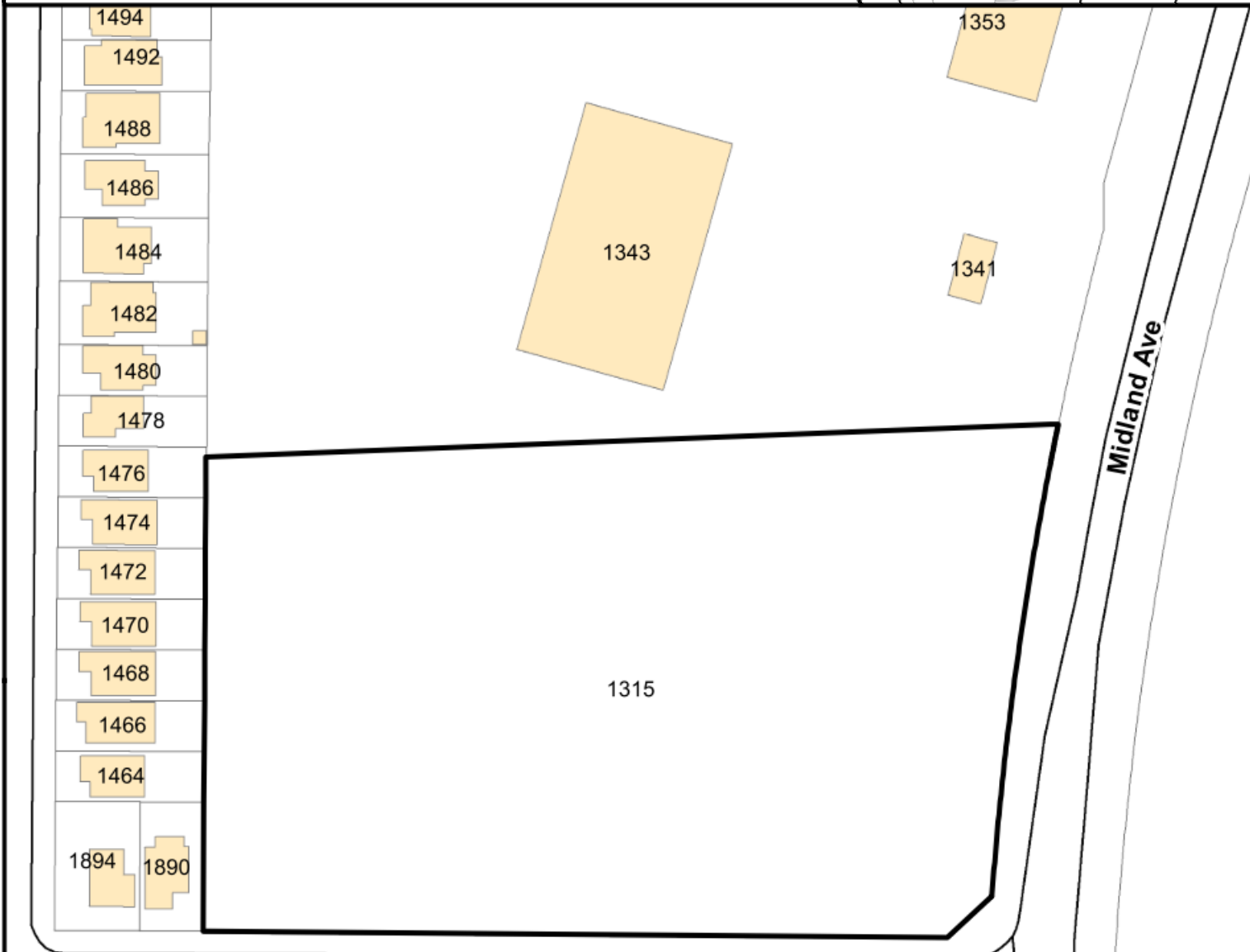
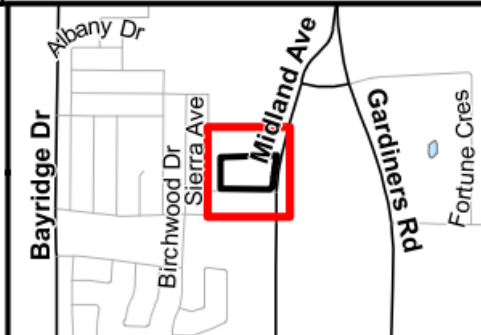
Key Map

Address: 1315 Midland Ave

File Number: D14-014-2024

Prepared On: Sep-16-2024

 Subject Lands



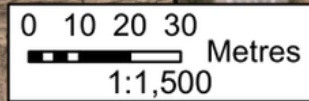
Prepared By: Jichu
Prepared On: Sep-16-2024



Planning Committee Neighbourhood Context

Address: 1315 Midland Ave
File Number: D14-014-2024
Prepared On: Sep-16-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels









Planning Services

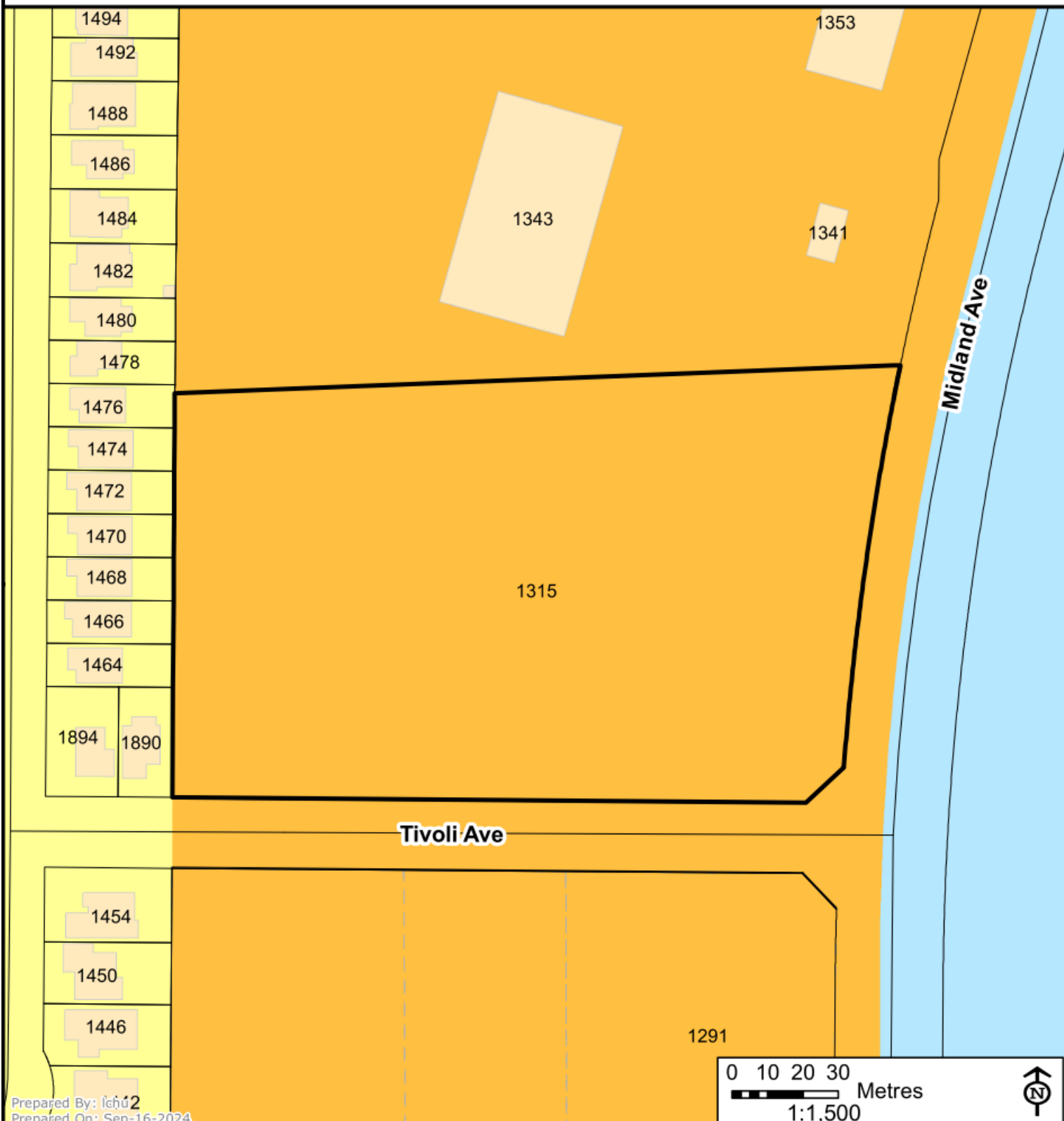
Planning Committee Official Plan, Existing Land Use

Address: 1315 Midland Ave

File Number: D14-014-2024

Prepared On: Sep-16-2024

-  Subject Lands
-  ARTERIAL COMMERCIAL
-  GENERAL INDUSTRIAL
-  RESIDENTIAL



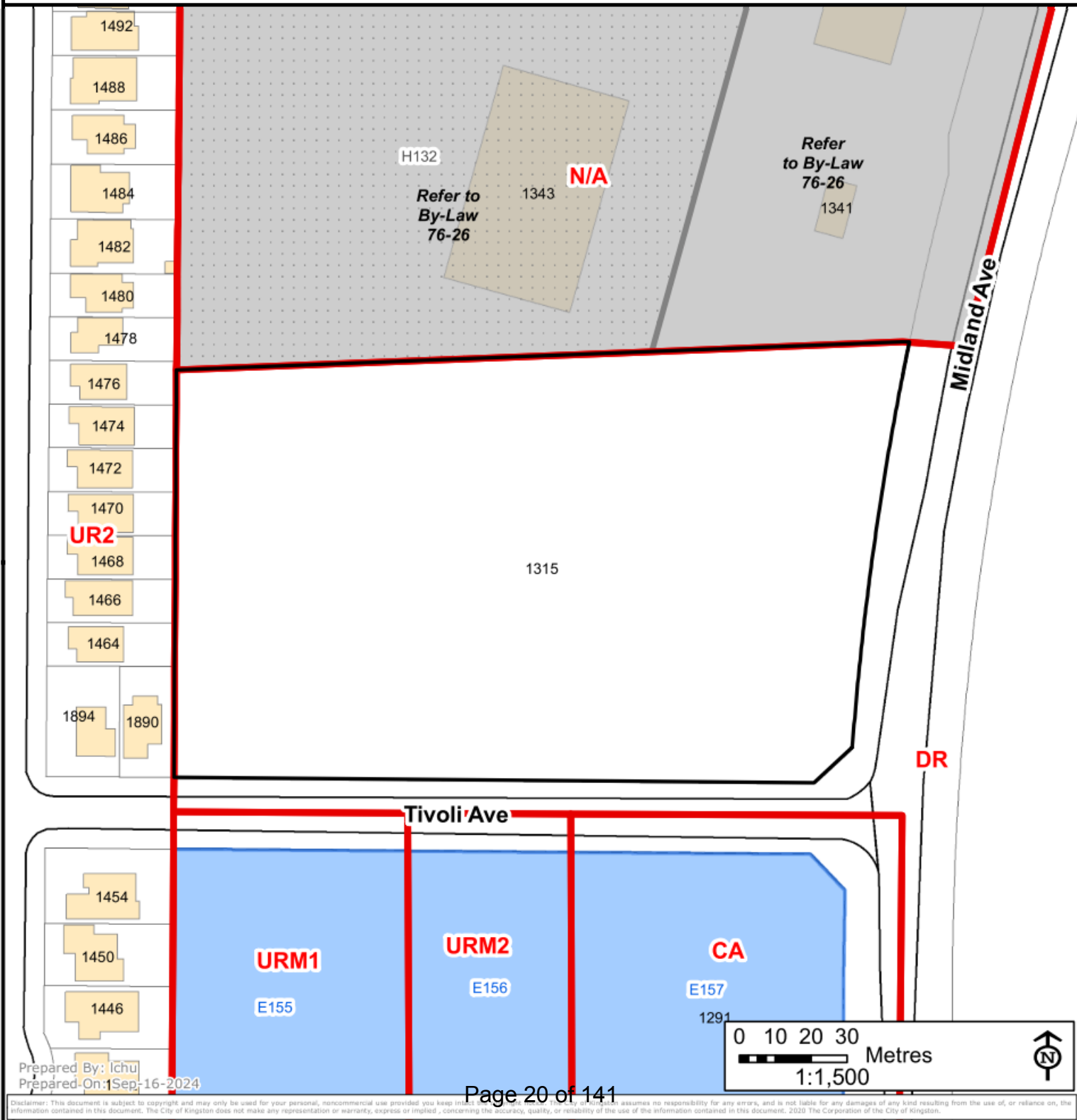


Planning Committee
Kingston Zoning By-Law 2022-62

Planning Services

Address: 1315 Midland Ave
File Number: D14-014-2024
Prepared On: Sep-16-2024

- 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)



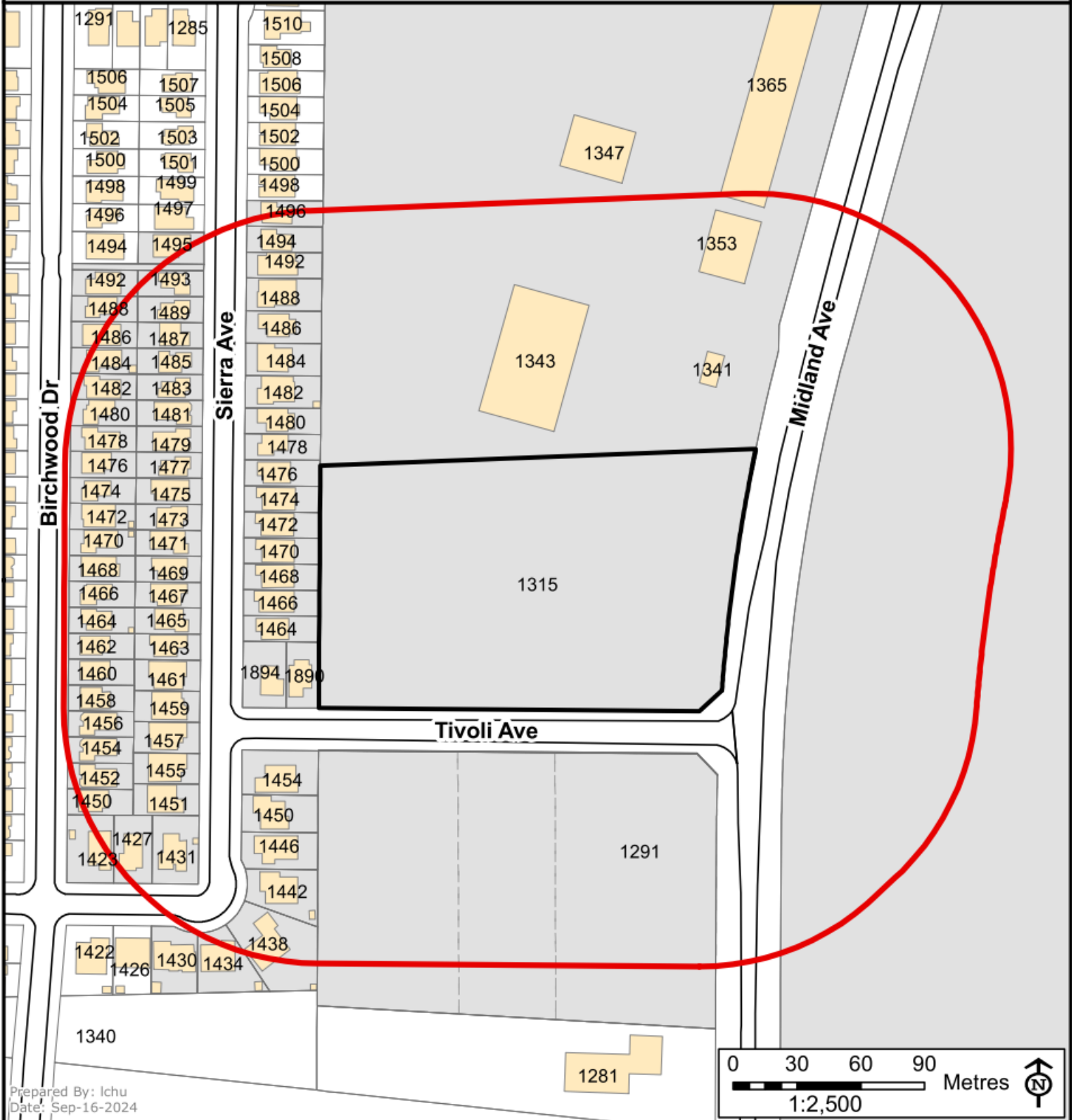
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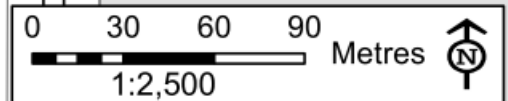
Planning Committee Public Notice Notification Map

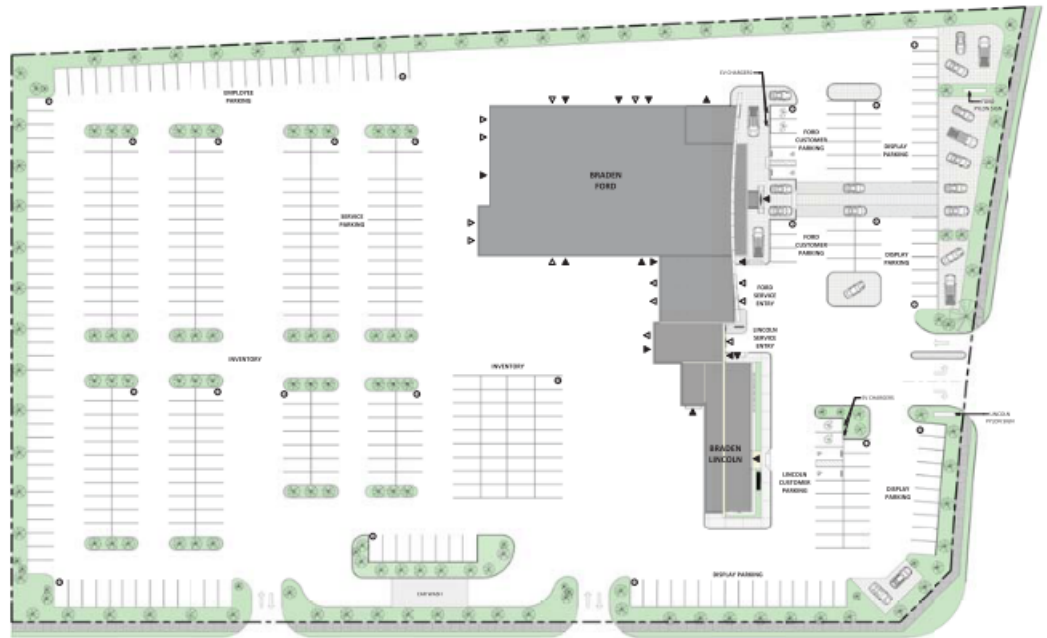
Address: 1315 Midland Ave
File Number: D14-014-2024
Prepared On: Sep-16-2024

- 120m Public Notification Boundary
- Subject Lands
- Property Boundaries
- Proposed Parcels
- 76 Properties in Receipt of Notice (MPAC)



Prepared By: Ichu
Date: Sep-16-2024





SITE PLAN
1" = 30'-0"

DISCLAIMER:
TOTAL NUMBER OF SPACES: 483
INCLUDING 4 ACCESSIBLE PARKING SPACES AND 8 TV SPACES



**THE LINCOLN
MOTOR COMPANY**

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**FACILITY DESIGN
SUBJECT TO
FINAL APPROVAL**

No.	DATE	ISSUE AND REVISIONS
1	2020.05.12	ISSUED TO BRADEN FOR REVIEW & COMMENT
2	2020.05.22	ISSUED TO HIC FOR REVIEW & COMMENT
3	2021.09.24	ISSUED TO HIC FOR REVIEW & COMMENT
4	2021.11.22	ISSUED TO BRADEN FOR REVIEW & COMMENT
5	2021.11.22	ISSUED TO BRADEN FOR REVIEW & COMMENT
6	2021.11.29	ISSUED TO BRADEN FOR REVIEW & COMMENT
7	2021.11.24	ISSUED TO BRADEN FOR REVIEW & COMMENT

RH CARTER ARCHITECTS
2020 Braden St. Wood, Suite 400, Toronto, Ontario M9W 1J4
Tel: 416-223-1188 Fax: 416-223-1883 www.rhcarter.com

BRADEN FORD
HAMILTON, ONTARIO
SITE PLAN

PROJECT No.:
9900.994
SCALE:
1" = 30'-0"

1 OF 4







GROUND FLOOR PLAN
3/32" = 1'-0"

TOTAL AREA	
CLUBHOUSE BAR	14,000 SQ FT
RESTROOMS	1,000 SQ FT
OFFICE	1,000 SQ FT
TOTAL	16,000 SQ FT



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FACILITY DESIGN
SUBJECT TO
FINAL APPROVAL

REV.	DATE	ISSUE AND REVISIONS
1	2023.05.11	ISSUED TO OWNER FOR REVIEW & COMMENT
2	2023.05.12	ISSUED TO AEC FOR REVIEW & COMMENT
3	2023.05.16	ISSUED TO AEC FOR REVIEW & COMMENT
4	2023.11.22	ISSUED TO OWNER FOR REVIEW & COMMENT
5	2023.11.29	ISSUED TO LINCOLN FOR REVIEW & COMMENT
6	2023.11.24	ISSUED TO OWNER FOR REVIEW & COMMENT

RH CARTER ARCHITECTS
3030 Bloor St. West, Suite 400, Toronto, Ontario M8S 4L6
P: 416-533-3389 F: 416-533-3393 www.rhcarter.com

BRADEN FORD
KANSINGTON, ONTARIO
GROUND FLOOR PLAN

PROJECT No.:
9900.994
SCALE:
3/32" = 1'-0"

2 OF 4



SECOND FLOOR PLAN
3/32" = 1'-0"



THE LINCOLN
MOTOR COMPANY

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ASSOCIATES INC.

FACILITY DESIGN
SUBJECT TO
FINAL APPROVAL

No.	DATE	REVISIONS
1	2023.05.17	ISSUED TO CLIENT FOR REVIEW & COMMENT
2	2023.05.22	ISSUED TO AEC FOR REVIEW & COMMENT
3	2023.06.06	ISSUED TO AEC FOR REVIEW & COMMENT
4	2023.06.26	ISSUED TO AEC FOR REVIEW & COMMENT
5	2023.11.23	ISSUED TO CLIENT FOR REVIEW & COMMENT
6	2023.11.29	ISSUED TO AEC FOR REVIEW & COMMENT
7	2023.11.24	ISSUED TO CLIENT FOR REVIEW & COMMENT

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BRADEN FORD
BRANTFORD, ONTARIO

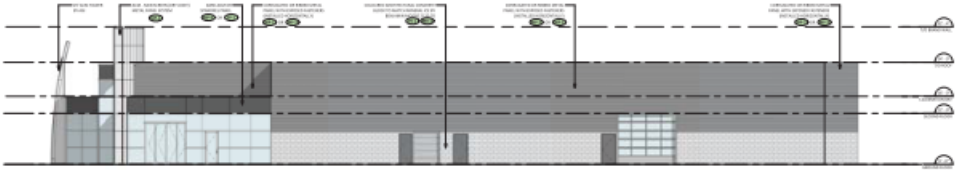
SECOND FLOOR PLAN

PROJECT No.:
9000.594
SCALE:
3/32" = 1'-0"

3 OF 4



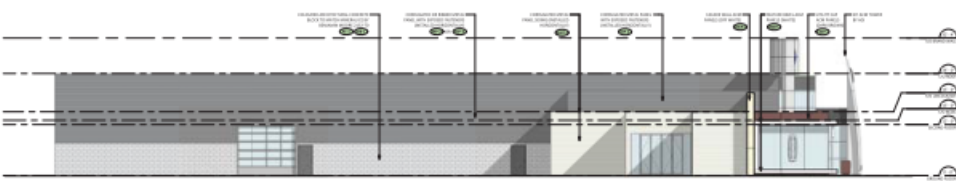
FRONT ELEVATION
3/32" = 1'-0"



SIDE ELEVATION
3/32" = 1'-0"



REAR ELEVATION
3/32" = 1'-0"



SIDE ELEVATION
3/32" = 1'-0"

- WALL FINISHES**
- 1. BRICK
 - 2. CONCRETE BLOCK
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THE LINCOLN
MOTOR COMPANY

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FACILITY DESIGN
SUBJECT TO
FINAL APPROVAL

No.	DATE	ISSUE AND REVISIONS
1	2020.05.12	ISSUED TO OWNER FOR REVIEW & COMMENT
2	2020.05.22	ISSUED TO H.C. FOR REVIEW & COMMENT
3	2021.09.16	ISSUED TO H.C. FOR REVIEW & COMMENT
4	2021.11.22	ISSUED TO OWNER FOR REVIEW & COMMENT
5	2021.11.29	ISSUED TO EMPLOYEE FOR REVIEW & COMMENT
6	2021.11.24	ISSUED TO OWNER FOR REVIEW & COMMENT

RH CARTER ARCHITECTS

BRADEN FORD
KESWICK, ONTARIO
ELEVATIONS

PROJECT No.:
9000.094
SCALE:
3/32" = 1'-0"

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**City of Kingston
Report to Planning Committee
Report Number PC-24-058**

To: Chair and Members of the Planning Committee
From: Paige Agnew, Commissioner, Growth & Development Services
Resource Staff: Tim Park, Director, Planning Services
Date of Meeting: November 7, 2024
Subject: Recommendation Report
File Number: D35-005-2021
Address: 1233 Midland Avenue
District: District 2 - Loyalist-Catarauqui
Application Type: Zoning By-Law Amendment and Draft Plan of Subdivision
Owner: 1000208656 Ontario Inc.
Applicant: Kingston Midland and Catarauqui Corp. 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:

The following is a report recommending approval to the Planning Committee regarding applications for zoning by-law amendments and draft plan of subdivision submitted by Kingston Midland and Catarauqui Corp. and Fotenn Consultants Inc., on behalf of 1000208656 Ontario Inc., with respect to the subject site located at 1233 Midland Avenue.

The subject lands are located at the northwest corner of Midland Avenue and Catarauqui Woods Drive, within approximately 117 metres of frontage on Catarauqui Woods Drive and 152 metres of

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frontage on Midland Avenue. The site has an area of approximately 2.08 hectares and is partially developed with a gas station and drive-through car wash on the southeast corner of the site.

The subject lands are designated Arterial Commercial in the Official Plan and are zoned Development Zone 'D-5' and Special General Commercial Zone 'C2-73-H' in Zoning By-Law Number 76-26, as amended and subject to the Commercial Arterial (CA) and Development Reserve (DA) zone of the Kingston Zoning By-Law. The property is also subject to Hold Overlay H162 that would not apply to this proposal.

Approval of this application will facilitate the construction of 89 new homes in the form of 31 townhouses and a 5-storey multi-unit apartment building with 58 residential units. The applicant proposes to subdivide the subject property into three blocks, re-zone the new parcels and introduce separate Exception Overlays to permit the construction of this compact residential development and recognize the existing gas station and car wash under the Kingston Zoning By-Law. After this approval, the townhouse block (Block 1) will proceed through Final Plan of Condominium and Part Lot Control/Lift applications to create the new residential and common elements lots.

The purpose of this application is to permit the development of a subdivision containing 31 townhouses on Block 1, a multi-unit apartment building with 58 dwelling units on Block 2 and the existing gas station and car wash on Block 3.

On Block 1 there are six blocks of townhouses, each with four to six residential units. The townhouses are 3-storeys in height, each with an attached garage and second parking space in the driveway. The common elements of the townhouse development are the private lane, the parking lot with four visitor parking spaces (one of which is accessible) and landscaped open spaces.

On Block 2 there is a five-storey apartment building containing a total of 58 dwelling units. The apartment development provides a total of 73 at-grade parking spaces in a parking lot accessed off Midland Avenue. The vehicular parking includes 61 standard parking spaces (of which three are accessible spaces and three are electric vehicle (EV) ready parking spaces), three car-share spaces and nine visitor spaces. There are also 58 long-term bike spaces, ten short-term bike spaces and a dedicated loading area on the north side of the building. Amenity area is proposed in the form of outdoor communal green spaces to the south and west of the building.

Block 3 contains the existing gas station and car wash use, which is to be retained in its existing configuration, with access provided from Midland Avenue and Cataraqui Woods Drive. The properties will have reciprocal easements to establish shared access throughout the site.

The proposed development aligns with the Council's stated priorities in the 2023-2026 Strategic Plan to increase the overall housing supply of all forms and tenure by 4,800 residential units over the Council term. The Mayor's Taskforce on Housing's report "A Foundation for the Public Good – Recommendations to Increase Kingston's Housing Supply for All" (2019) encourages the creation of low-rise accessible multi-unit dwellings (also known as 'missing middle' housing) in established neighborhoods to increase the housing supply in already developed areas. It also indicates an on-

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going demand for apartments to serve single middle-aged adults (one of the largest groups in core housing need) with one-bedroom units and young seniors with larger apartments. This intensification project will introduce 89 new homes in a compatible built form in a well serviced location in the city.

Staff have reviewed all planning and technical studies submitted in support of the application and are satisfied that the proposed zoning by-law amendment meets all policy tests and represents a technically sound proposal in the public interest.

As this submission was received in advance of the recent amendments to the Official Plan and Kingston Zoning By-Law, has been reviewed with respect to the former versions of these documents.

Recommendation:

That the Planning Committee recommends to Council:

That the applications for zoning by-law amendments and draft plan of subdivision (File Number D35-005-2021) submitted by Kingston Midland and Cataraqui Corp. and Fotenn Consultants Inc., on behalf of 1000208656 Ontario Inc., for the property municipally known as 1233 Midland Avenue, be approved; and

That Kingston Zoning By-Law Number 2022-62, as amended, be further amended, as per Exhibit A (Draft By-Law and Schedules A and B to Amend Zoning By-Law Number 2022-62) to Report Number PC-24-058; and

That the draft plan of subdivision be subject to the conditions as per Exhibit C (Draft Plan of Subdivision Conditions) to Report Number PC-24-058; and

That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

That the amending by-law be presented to Council for all three readings.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,
Growth & Development Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Jennifer Campbell, Commissioner, Community Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Priorities	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

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Options/Discussion:

Statutory Public Meeting

This recommendation report forms the basis of a statutory public meeting at Planning Committee. Anyone who attends the statutory public meeting may present an oral submission, and/or provide a written submission on the proposed application. Also, any person may make written submissions at any time before City Council makes a decision on the application.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Kingston to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body is not entitled to appeal the decision. If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Kingston before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Planning Committee will consider the recommendations in this report and make its recommendation to City Council at this meeting.

Anyone wishing to be notified of Council's decision on the subject application must submit a written request to:

Lindsay Reid, Senior Planner – Urban Designer
The Corporation of the City of Kingston
Planning Services
216 Ontario Street
Kingston, ON K7L 2Z3
613-546-4291 extension 3277
lcreid@cityofkingston.ca

Background and Decision Date

In accordance with By-Law Number 2007-43, these applications were subject to a pre-application meeting held on February 11, 2020, with Planning Services and various other department and agencies. A complete application was submitted by the applicant and was deemed to be complete as of July 8, 2021.

A Community Meeting was held at Planning Committee on October 21, 2021. A summary of the feedback received at the Community Meeting is provided in the Public Comments section of this Report.

In accordance with the *Planning Act*, this application is subject to a decision by Council on or before November 5, 2021, which is 90 days after a complete application was received. In the absence of a decision by Council in this timeframe, the applicant may exercise their right to

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appeal to the Ontario Land Tribunal (OLT). The application has exceeded this timeframe as the applicants have been working to satisfy all technical review comments.

Site Characteristics

The subject lands are located at the northwest corner of Midland Avenue and Cataraqui Woods Drive, with approximately 117 metres of frontage on Cataraqui Woods Drive and 152 metres of frontage on Midland Avenue (Exhibit D – Key Map). The site has an area of approximately 2.08 hectares and the southwest corner of the property is developed with a gas station with a drive-through at the rear and drive-through car wash (Exhibit L – Site Photographs).

The surrounding area is comprised of residential dwellings, commercial uses, employment uses, and open spaces areas (Exhibit E – Neighbourhood Context). The site abuts an existing residential subdivision with an elementary school to the west and a furniture retailer to the north. A pet supply retailer, chiropractic clinic and dental centre are located on the south side of Cataraqui Woods Drive. Further south along Midland Avenue are a range of retail and grocery stores, services, and restaurants. The lands on the east side of Midland Avenue are currently undeveloped and are zoned Development Reserve (DR) Zone. The Cataraqui Estates Business Park and the Invista Centre are located further east of the site.

The subject lands are located approximately 250 metres from Cataraqui Woods Elementary School and 350 metres from Cataraqui Woods Park. There are two transit stops adjacent to the subject site: one servicing Kingston Transit route 19 is located along the north side of Midland Avenue, and a second servicing Kingston Transit route 15 is located on east side of Midland Avenue. In addition, there are two transit stops on Kingston Transit routes 7 and 19 are located less than 100 metres south of the site along Midland Avenue.

There are easements along the north and west portions of the property. Along the north edge is a shared access easement with the adjacent property and along the west edge is a sanitary easement.

Proposed Application and Submission

Through applications for zoning by-law amendment and Draft Plan of Subdivision, the applicant proposes to subdivide the site into three blocks and established site-specific zones to permit the development of a residential subdivision. The subdivision will contain a 31-unit townhouse complex on Block 1 (to be zoned URM2), a multi-unit apartment building with 58 dwelling units on Block 2 (to be zoned URM2) and the existing gas station and car wash on Block 3 (to be rezoned a CG zone) each with an Exception Overlay. The properties will have reciprocal easements to establish shared access throughout the site.

Approval of this application will bring the subject property into the Kingston Zoning By-Law.

The following paragraphs provide a written description of the proposed development; visual depictions of the development, including the architectural and landscape drawings are included in Exhibits K, L and M.

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Townhouse Development (Block 1)

The proposed medium-density townhouse development is located along the western portion of the property with frontage on Cataraqi Woods Drive and adjacent to existing residential development. It is composed of six blocks (or rows) townhouses, each with four to six residential buildings as well as a private lane and visitor parking area. The area is landscaped with new trees in a range of species in common areas and private front and rear yards.

The townhouse development is structured around a private condominium lane. The lane has three points of access: one off Cataraqi Woods Drive through Block 3; a second from Midland Avenue through Block 2; and a third from a shared easement with the property to the north which overlaps with Block 2. Townhouse Block A fronts onto Cataraqi Woods Drive, Blocks B, C and D form the west street wall of the lane (backing onto the existing residential neighbourhood) and Blocks E and F form the east street wall of the lane (backing onto the gas station and car wash). The visitor parking lot is located between Townhouse Blocks A and B.

The 3-storey townhouses each have an attached garage and second parking space in the driveway. The townhouses have a consistent appearance in their massing, organization, and style; however, each row of townhouses have a unique design appropriate to their immediate context. For instance, Townhouse Block A fronts onto Cataraqi Woods Drive and has a landscaped front yard with a walkway leading to an elevated front porch with vehicular access at the rear (Exhibit L). This arrangement continues the patterns of front facing residential development west of the sites. In contrast, the internal townhouse blocks have a more traditional arrangement - a front yard with a driveway leading to the attached garage and partially enclosed rear yard. The units all have private yards and balconies. Townhouse Blocks E and F have a 2.5-metre-tall acoustic fence along the rear lot line as they back onto the adjacent apartment parking area and gas station and car wash.

The townhouses have three and four-bedroom options. Townhouses A through D have a lower level with a garage and bedroom suite, a main level with shared living spaces, and an upper level with three bedrooms. Townhouse Blocks E and F have the garage and shared living spaces on the ground floor with three bedrooms distributed across the second and third floors.

The common elements of the townhouse development are the private lane, the parking lot with four visitor parking spaces (one of which is accessible) and landscaped open spaces. Pedestrian access is found in walkways and sidewalks adjacent to the private lane which connect the townhouses to the streets. Along the lane and walkways are landscaped open spaces with benches, the community mailbox, lighting, and accessible crossings as well as functional infrastructure such as transformers, fire hydrants and snow storage areas.

The proposed townhouses are intended to be freehold units. The lots will be created through future Final Plan of Condominium and Part Lot Lift/Control applications. All other components of Block 1, including the private lane and visitor parking area, will be part of a Common Elements Condominium to be maintained by townhouse owners. The townhouses are proposed to be facilitated by re-zoning the westmost portion of the site to Urban Multi-Residential Zone 2 (URM2) with an Exception Overlay to permit a compact site layout.

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Apartment Building (Block 2)

A five-storey, medium density apartment building containing 58 residential units is proposed for the northeast portion of the site. The apartment building is located on the northeast portion of the parcel adjacent to Midland Avenue. The residential parking lot is located between the apartment and the existing gas station and car wash. There is a share access driveway to the north of the building and a new lane between the apartment building and parking area.

The new building would be setback 3.0 metres from Midland Avenue and 9.5 metres from the adjacent property to the north. The immediate area around the building is landscaped to provide a pleasant setting and enhance the surrounding streetscapes. There are shrubs and perennials lining the base of the building landscaped strip and along the Midland Avenue frontage is a hedge of dogwood interspersed with hackberry and red maple trees that provides visual cohesion and screens the parking area.

The architectural drawings depict a 5-storey hipped roof building that is articulated with projecting bays and material variety. The principal elevation with a canopied main entrance is located on the south-facing elevation along the driveway. The building has a brick base with a varied stucco treatment above.

Residential access is provided through a common vestibule and lobby. A total of 58 residential homes will be provided with a unit mix of 14 (24%) one-bedroom units, 39 (67%) two-bedroom units and 5 (9%) three-bedroom units. This configuration results in 107 bedrooms.

Amenity is provided on site in the form of outdoor amenity areas directly south and west of the building. The westmost and largest amenity area is an open green space encircled in trees with benches and accessible picnic table seating under a pergola. The areas to the south are grassed areas with trees. All amenity areas are accessed from the sidewalk and main entrance via connecting walkways.

Vehicular parking for the residents is located on a surface parking lot south of the apartment building. The parking area would be accessed from Midland Avenue off an internal road between the apartment building and the parking area. The parking lot contains all the vehicular parking except the accessible spaces which are located near the main entrance to the apartment. Landscaping is provided at the perimeter and within this parking area. There is planting strip with a hedge and trees along Midland Avenue (noted above), a planting strip with trees along the south edge adjacent to the gas station and carwash and grassed strips with trees along the west and south edges and between the parking bays.

Parking is proposed to be accommodated in accordance with the Kingston Zoning By-Law, with a total of 73 at-grade parking spaces. This provides a parking ratio of 1.25 spaces per unit. The vehicular parking includes 61 standard parking spaces (of which three are accessible spaces and three are electric vehicle (EV) ready parking spaces), three car-share spaces and nine visitor spaces.

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The proposed bike parking exceeds the zoning requirements. There are 58 long-term bike spaces (one per residential unit), 10 short-term bike spaces and bike repair/maintenance area on the ground floor. Long-term bike parking is to be accommodated on each floor with the short-term parking located outside near the main entrance.

A dedicated loading area is located on the north side of the building off the shared driveway.

The apartment building is proposed to be facilitated by re-zoning the northeast portion of the site to Urban Multi-Residential Zone 2 (URM2) with an Exception Overlay to permit the unique aspects of the building design and site layout.

Existing Gas Station and Car Wash

Block 3 contains the existing gas station and car wash use, which is proposed to be retained in its existing configuration, with access provided from Midland Avenue and Catarauqui Woods Drive.

As part of the proposed subdivision, the existing build out is to be brought into the current zoning by-law. It is to be re-zoned General Commercial (CG) with an Exception Overlay to permit the relief related to the new lot configuration and context.

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

- Site Plans;
- Topographical survey;
- Draft Plan of Subdivision;
- Draft Plan of Condominium;
- Architectural drawings of the townhouses and apartment building;
- Record of Site Condition;
- Phase 1 Environmental Site Assessment;
- Geotechnical Investigation;
- Traffic Impact Study;
- Servicing and Stormwater Management Report;
- Noise and Vibration Impact Study;
- Civil engineering drawings;
- Site electrical plan;
- Tree Inventory, Assessment, and Tree Preservation Plan;
- Landscape drawings; and
- Planning Justification Report and supplemental justifications.

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.

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Provincial Planning Statement

The Provincial Planning Statement (2024) provides policy direction on matters of provincial interest related to land use planning and development, which are intended to be complemented by local policies addressing local interests. The PPS recognizes Ontario as a vast, fast-growing province and the need to increase the supply and mix of housing options to support a diverse population and workforce. It prioritizes compact and transit-supportive design and optimizing investments in infrastructure and public services facilities to support convenient access to housing, quality environment, services, and recreation. Cultural heritage and archaeology are to provide people with a sense of place. Through specific policies related to building homes, sustaining strong and competitive communities, infrastructure and facilities, wise use and management of resources and protecting public health and safety, the PPS lays the framework for fundamental land use planning in Ontario.

Section 2.3.1 indicates that settlement areas shall be the focus of growth and development. It supports general intensification and redevelopment in settlement areas to support the achievement of complete communities. This includes planning for a range and mix of housing options. Section 2.3.1.2 stipulates that land use patterns within settlement areas should be based on densities and a mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure and public services facilities, support active transportation, are transit-supportive (as appropriate) and are freight-supportive.

The development of a residential subdivision with 31 townhouses and a 58-unit apartment with a mix of one-, two- and three-bedroom apartments will introduce more medium density land uses to the Cataraqui Woods neighbourhood. The development is in a compact, cost-effective form that minimizes land consumption and utilizes existing infrastructure, public service facilities, active transportation, and transit.

Based on the above, the proposed Zoning By-Law amendment and Draft Plan of Subdivision is consistent with the Provincial Planning Statement.

A detailed review of the applicable policies is attached in Exhibit F.

Official Plan Considerations

The subject lands are located within a Business District as shown on Schedule 2 – City Structure and are designated Arterial Commercial in the Official Plan (Exhibit G). There is frontage onto an arterial road (Midland Avenue) and a collector road (Cataraqui Woods Drive).

The goal of the Arterial Commercial designation is to provide easily accessed and visible locations to serve the needs of travellers and to accommodate the distinct needs of commercial uses that require outdoor display that do not fit well within other commercial designations. Lands designated Arterial Commercial that are underutilized or outmoded commercial sites can be redeveloped with medium and high-density residential development subject to the tests within the Official Plan. Residential development can proceed providing that the residential uses are

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adjacent to a Residential designated area, and that they offer adequate amenity space, protection from noise and other impacts, and active transportation linkages exist.

Both residential sites are considered medium-density and subject to a specific set of locational criteria. The location of the townhomes and apartment building provide suitable transition to the residential neighbourhood to the west, while animating the streetscape and connecting the neighbourhood to Midland Avenue. All residential units are within walking distance of Catarauqui Woods Park, commercial uses and services, and the local elementary school. Also close by is the Invista Centre and range of employment uses. The area is serviced by a number of Kingston Transit routes and connections to the Catarauqui Centre bus transfer station.

The proposal is compatible with the surrounding area, and with the existing uses on the site. There are no adverse impacts from shadowing, overlook, architectural incompatibility or visual intrusion. The site's redevelopment is permitted by the Plan in an area where redevelopment and intensification is encouraged, and the built form is appropriately scaled to transition to the existing nearby residential uses. There are no cultural heritage or environmental resources in the area that may be impacted. Appropriate mitigation measures such as landscaping, adequate separations, setbacks and height maximums have been implemented with further considerations to occur at the detailed design stages.

Feasibility has been demonstrated for noise, water, wastewater, and stormwater services. There are no built heritage, natural heritage, or natural hazard concerns. Future final plan of subdivision and condominium, and site plan control will review these matters in detail.

A detailed review of the applicable policies is attached in Exhibit H.

Zoning By-Law Discussion

The site is a Red Exception in that it is zoned a site-specific Development Zone 'D-5' and Special General Commercial Zone 'C2-73-H' in Zoning By-Law Number 76-26, as amended and Development Reserve (DR) and Arterial Commercial (CA) in Kingston Zoning By-Law Number 2022-62, as amended (Exhibit I). As per recent amendments to the Kingston Zoning By-Law ([Report Number PC-24-041](#)), properties identified as a Red Exception must comply with Kingston Zoning By-Law Number 2022-62, with permissions that allow for the continued application of former zoning standards in certain circumstances. Where there are site-specific zoning provisions in the former zoning, this will apply; where there is no site-specific zoning provision, the parent zone under the new zoning will apply; and in the instance of a different provision between the former zoning and the new zoning, the less restrictive of the two provisions applies.

The D Zone permits a limited number of residential and non-residential uses including an existing single-family dwelling house, an accessory dwelling house, a cemetery, a church, a farm other than a specialized farm, a fraternal lodge or community centre, a public use, and a seasonal fruit, vegetable, flower or farm produce sales outlet. The C2-73-H Zone permits a variety of arterial commercial uses and limited convenience commercial uses but does not permit residential uses.

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The application proposes to bring the newly created parcels into the new Kingston Zoning By-Law 2022-62, and apply new zones and exception overlays to facilitate the proposed compact residential development:

- Block 1, townhouse development: Urban Multi-Residential Zone 2 (URM2) with Exception Overlay E174;
- Block 2, apartment development: Urban Multi-Residential Zone 2 (URM2) with Exception Overlay E175; and
- Block 3, existing gas station and car wash: General Commercial Zone (CG) with Exception Overlay E176.

The URM2 Zone is a multi-unit residential zone which is intended to regulate various residential forms and includes townhouses and apartments as permitted uses. This zoning category provides a good basis from which to ensure the site layout with multiple buildings and a new circulation network functions well and is compatible with the surrounding area.

To bring the existing gas station and car wash into the Kingston Zoning By-Law, the recommended zoning by-law amendment proposes to re-zone this commercial use as the General Commercial (CG) Zone. The CG Zone is a commercial zone which is intended to regulate various commercial uses and is the only one to include both gas stations and car washes as permitted uses.

A detailed summary of the proposed changes to the zoning provisions, along with a rationale for each change, can be found below.

Discussion of Requested Relief for Townhouse Development (Block 1)

The Exception Overlay for the townhouse development is structured to address the new parcel in its entirely first and block specific aspects second.

Provision	URM2 Zone (townhouse)	Proposed E174
Applicable to all common element and townhouse blocks		
Minimum lot area (square metres)	Table 12.3.1. 180.0 per dwelling unit	158.0 per dwelling unit
Minimum lot frontage (metres)	Table 12.3.2. 7.5	5.5
Minimum rear setback (metres)	Table 12.3.5. The greater of: (a) 7.5 metres (b) 25% of the lot depth	6.0

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Provision	URM2 Zone (townhouse)	Proposed E174
Minimum interior setback (metres)	Table 12.3.7. (a) 1.8 metres (b) where a common party wall is located along a lot line: 0 metres	0.9
Maximum lot coverage	Table 12.3.9. 45%	55%
Exterior setback, definition	3.5.10. Exterior Setback means the setback between the exterior lot line and the nearest part of any building on the lot.	The exterior setback means the setback between the nearest part of any building on a lot and the lot line which separates the lot from a street, or from a common element area directly adjacent to a street.
Front setback, definition	3.6.18. Front Setback means the setback between the front lot line and the nearest part of any building on the lot.	The front setback is measured from the main wall of the building. The second storey “box window” is an architectural feature which is permitted to encroach into the front setback in accordance with Clause 4.19.2.
Projections into Required Setbacks - Architectural Features	4.19.2. In all Zones except the DT1, DT2, HCD2 and HB Zones, despite anything to the contrary in this By-law, sills, belt courses, chimneys, fireplace projections, cornices, eaves, gutters, parapets, pilasters or similar ornamental architectural features may project into any required setback a maximum distance of 0.5 metres, provided such feature is setback a minimum of 0.5 metres to any lot line.	The eaves are permitted to encroach up to 0.5 metres into the front setback, in accordance with Clause 4.19.2, to be measured from the outside edge of the second storey “box window”.
Projections into Required Setbacks	4.19.3. In all Zones except the DT1, DT2, HCD2 and HB Zones, despite anything to the contrary in this by-	The setback of exterior stairs from the interior lot line is 0.0 metres.

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Provision	URM2 Zone (townhouse)	Proposed E174
– Exterior Stairs (metres)	law, exterior stairs and their associated guards are permitted to project into any required setback, provided such exterior stairs are setback a minimum of 0.5 metres to any lot line.	
Balconies – Minimum setback from a lot line (metres)	4.20.1.3. 1.0	A balcony will not encroach into an exterior yard or interior yard beyond the main wall of the building.
Decks and Porches – Minimum interior setback (metres)	Table 4.20.4.3. (a) 0.6 metres, except along a common party wall where it may be 0.0 metres if there is a common privacy fence a minimum of 1.5 metres tall	The minimum interior setback of a porch will comply with Table 4.20.4, except along a common party wall where it may be 0.0 metres. A privacy fence is not required between abutting porches in front yards.
Visitor Parking Spaces – Freehold townhouse	Table 7.1.1.1.2 No requirement	4 visitor parking spaces
Minimum Driveway or Drive Aisle Width – Perpendicular to drive aisle (metres)	Table 7.4.1.1. 6.7	6.0 metre drive aisle The minimum width of a driveway from a private street to a common element parking lot is 5.5 metres.
Applicable to Townhouse Block A		
Minimum exterior setback (metres)	Table 12.3.1.6. 5.0	1.3
Decks and Porches – Height greater than 1.2 metres, minimum exterior setback, (metres)	Table 4.20.4.3. Comply with Zone provision 5.0	1.3

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Provision	URM2 Zone (townhouse)	Proposed E174
Walkways for All Residential Uses - Minimum width (metres)	4.27.1. 1.2	A walkway to the main exterior entrances of the two interior dwelling units of Townhouse Block A may be shared between the respective dwelling units and will have a minimum width of 1.6 metres.
Applicable to Townhouse Block B		
Minimum exterior setback (metres)	Table 12.3.1.6. 5.0	0.8
Projections into Required Setbacks - Architectural Features	4.19.2. ...architectural features may project into any required setback a maximum distance of 0.5 metres, provided such feature is setback a minimum of 0.5 metres to any lot line.	The minimum setback between the eaves and the exterior lot line is 0.4 metres.
Decks and Porches – Height greater than 1.2 metres, front setback, (metres)	Table 4.20.4.3. Comply with Zone provision The lesser of: (a) 6.0 (b) average of the existing front setbacks of the adjacent buildings, to a minimum of 3.0 metres	5.0 metres
Applicable to Townhouse Block C		
Minimum front setback (metres)	Table 12.3.1.4. The lesser of: (a) 6.0 (b) average of the existing front setbacks of the adjacent buildings, to a minimum of 3.0 metres	5.9
Decks and Porches – Height greater than 1.2 metres,	Table 4.20.4.2. Comply with Zone provision	4.9 metres

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Provision	URM2 Zone (townhouse)	Proposed E174
minimum front setback, (metres)		
Applicable to Townhouse Block D		
Minimum front setback (metres)	Table 12.3.1.4. The lesser of: (a) 6.0 (b) average of the existing front setbacks of the adjacent buildings, to a minimum of 3.0 metres	5.8
Decks and Porches – Height greater than 1.2 metres, minimum front setback, (metres)	Table 4.20.4.2. Comply with Zone provision	4.8 metres
Applicable to Townhouse Block E		
Minimum front setback (metres)	Table 12.3.1.4. The lesser of: (a) 6.0 (b) average of the existing front setbacks of the adjacent buildings, to a minimum of 3.0 metres	5.7
Minimum exterior setback (metres)	Table 12.3.1.6. 5.0	1.2
Decks and Porches – Height no greater than 0.6 metres, minimum exterior setback (metres)	Table 4.20.4.3. 3.5	1.2
Minimum parking space length or vehicle projection – In line with and accessed directly from driveway as	Table 7.4.1 12.0 (or 6.0 per parking space)	5.5 metres per parking space

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Provision	URM2 Zone (townhouse)	Proposed E174
tandem parking spaces (metres)		
Walkways, overlap with driveway	4.17.1.4. The walkway must be separately delineated and measured distinctly from a required driveway and parking space. A vehicle must not park on top of any part of the walkway;	The driveway and walkway may overlap
Applicable to Townhouse Block F		
Minimum front setback (metres)	Table 12.3.1.4. The lesser of: (a) 6.0 (b) average of the existing front setbacks of the adjacent buildings, to a minimum of 3.0 metres	5.7
Minimum parking space length or vehicle projection – In line with and accessed directly from driveway as tandem parking spaces (metres)	Table 7.4.1 12.0 metres (or 6.0 metres per parking space)	5.5 metres per parking space
Walkways, overlap with driveway	4.17.1.4. The walkway must be separately delineated and measured distinctly from a required driveway and parking space. A vehicle must not park on top of any part of the walkway;	The driveway and walkway may overlap

Approval of the relief requested to facilitate the proposed townhouse development would result a compact yet highly liveable residential community. This well-planned proposal reflects an efficient use of land, services, and infrastructure. Each unit has been appropriately sized to suit the lot sizes. The smaller lots and narrow townhouses with integrated garages make good use of land to allow for a medium density residential neighbourhood. This approach also spreads

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servicing and infrastructure costs among a larger share of homes thereby decreasing the cost per dwelling. The compact design and resulting unit sizes provides for attainable townhouse dwellings that suit a variety of financial and lifestyle needs. The compactness of the development will also facilitate a close-knit neighbourhood environment that fosters connection amongst residents while still providing private amenity space on each lot.

The proposed relief does not materially impact the use and enjoyment of the individual townhouse units - the applicant has been able to ensure a usable living space arranged in an efficient layout – nor the functional aspects of the site.

Minimum lot area, minimum lot frontage, maximum lot coverage and minimum setbacks:

The intent of the lot area, lot frontage and lot coverage requirements for a lot in the urban residential area are to ensure that there is sufficient space to accommodate all the components of a well-functioning residential parcel. These typically include a house, a driveway and vehicle parking space(s), a walkway, landscaped open space, and amenity space arranged in a way that results in a cohesive visual appearance with the surrounding neighbourhood.

The intent of the minimum setbacks for a house, porch or balcony is to ensure that there is sufficient spatial separation between the dwelling and property lines to provide all functional aspects of a home. This includes sufficient space for vehicle parking, amenity area, utility related to infrastructure, access around the building to undertake building maintenance, manage stormwater on site, to ensure adequate setbacks to adjacent properties to limit land use compatibility issues, and to reinforce the residential character of the neighbourhood.

There are no concerns with the requested relief as the submission material demonstrates that these elements of a well-functioning residential lot can be accommodated on a smaller parcel. Each townhouse lot has a home, two parking spaces, a walkway, and amenity space (a yard and a private balcony). Required pieces of infrastructure have been considered in the streetscape design which includes new infrastructure (hydrants, transformers, community mailboxes and the like) in common element parcels and front/side yards. The applicant has provided a stormwater report demonstrating that water can be effectively addressed on site. The increase in lot coverage will have no functional impact on stormwater management as the amount of landscaped open space will be exceeded on each proposed lot. Review of the proposed interior setbacks with Building Services has determined there is adequate space around and between the buildings to undertake ongoing building and site maintenance.

In terms of compatibility, the arrangement of the lots on either side of a new private street means the rear and side yards act as a spatial buffer between the 3-storey townhouses and the adjacent residential and commercial uses. The reduced rear setback is mitigated by the provision of balconies (amenity area) at the rear façade of each townhouse. The side yard of Townhouse Block A and the rear yards of Townhouse Blocks B, C and D are further constrained by an existing sanitary easement that runs along the west edge of the property. This means that rear yards may be provided over this easement as long as no structures or buildings on the easement lands. At Townhouse Blocks E and F a 2.5 metre tall acoustic fence will be provided

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to enclose the rear and side (as applies) yards to provide privacy and mitigation potential noise impacts.

The requested relief related to the porches, decks and balconies largely serve to allow for the proposed townhouse design with mirrored units. At Townhouse Blocks A, B, C and D, front entrances are paired resulting in adjoining exterior stairs and shared porches. This is an established townhouse configuration. To facilitate this design the setback requirements have been modified to allow for the porches and stairs to meet at the interior lot line and the requirement for a common privacy fence at the front porch has been removed. At the same townhouse units, there are balconies projecting from the rear wall. Privacy between the adjacent balconies is provided either through separation or a privacy fence. The relief sought allows for the balconies to align with the outside wall of the building.

The front façade of each townhouse displays a second-floor projecting bay or ‘box window’ feature which adds to the architectural design and interest of the units. The box windows are not considered architectural features in the zoning by-law as they contribute to the overall gross floor area and thus would be considered the front wall of the main building. This relief serves to identify this desirable design feature as an architectural feature and allow it and the related eaves (as applies) to project into the front setback. This will have no impact on the functioning of the front yard.

Drive Aisles, Driveway and Parking Space Lengths:

The purpose of the drive aisle, driveway and parking space requirements is to provide adequate room for the safe maneuvering and storage of vehicles.

The minimum driveway/drive aisle and parking space dimensions in the Kingston Zoning By-Law vary depending on the parking layout. A minimum parking space length of 6.0 metres is required where tandem parking spaces are accessed directly by a driveway. This length is to ensure there is adequate maneuverability and functionality for parking a variety of vehicle types. A 5.5 metre parking space is permitted when a space is accessed perpendicularly by a drive aisle. In the context of the proposed compact residential development where this applies to a tandem parking configuration (with one space in the driveway and a second in a garage) where the width of a parking space is 3.2 metres (providing more flexible vehicle movements), reducing the minimum parking space length to 5.5 metres is appropriate. The reduction to the drive aisle width as it applies to the visitor parking spaces is also sufficient given that access, maneuvering, surface treatment and legibility has been considered.

The reduction to the driveway width to 5.5 metres is limited to the common elements condominium road where it turns into the visitor parking and the driveways at the rear of Townhouse Block A. At this intersection there is a pinch point where the driveway width briefly reduces to 5.5 metres. The applicant has provided traffic movement diagrams to demonstrate the safe ingress and egress of vehicles here (a light single unit truck), has incorporated an accessible path from the accessible parking space to the sidewalk for additional safety and has

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indicated that snow removal and waste pickup will be completed privately to demonstrate this complies with the intent of the zoning provision.

Walkways:

The purpose of the residential walkway requirement is to provide a clear pedestrian path of travel from the street to the main entrance of a home for daily use by residents as well as visitors, delivery services and emergency responders.

The relief requested at Townhouse Block A allows for the pairing of a walkway that results in a reduction of paved surface on the front yard and a symmetrical building and lot layout. Use of this walkway by both properties will be secured through a shared access easement.

At Townhouse Blocks E and F, relief is requested to allow for the driveway and walkway to overlap. The compactness of the townhouse blocks, the orientation of the front entryway off the driveway (rather than being accessed from the front by a separate path) and the landscaped front yard with trees and infrastructure (transformers and fire hydrants) presents a narrow area to access the main entrance. For consideration, the recent amendments to the Kingston Zoning By-Law allow for overlap between walkways and driveways providing that a clear and distinct path is maintained. The site plans indicate that there is sufficient width to accommodate both a parking space (shown at a width of 3.2 metres rather than the required minimum of 2.6 metres in the amended Kingston Zoning By-Law) and a reduced walkway width in the driveway with a small amount of overlap. The drawings do show a clear width of 1.1 metres at the front porches.

Other:

The following summarizes the provisions included in the recommended by-law that extend beyond those addressed above:

- The applicant is proposing to provide four visitor parking spaces, one of which is an accessible parking space. While visitor parking is not required for townhouses under the Kingston Zoning By-Law, the provision of visitor and accessible parking as part of a compact development in a suburban setting is desirable as it provides shared parking for guests, short-term delivery and similar.
- The provision elaborating on the definition of exterior setback is intended to address the unique lot configuration and common element land ownership. As the parking lot and open spaces will form part of the common elements of the future condominium several atypical adjacencies result. These do not align with the typical lot configurations described in the zoning definition which describes the exterior lot line as abutting a street. In this proposal, several townhouses abut a common element open space or parking lot. This change serves to permit the requested setbacks.

The design of the townhouse blocks, and the homes themselves, has been undertaken in thoughtful and iterative fashion such that the compactness of the lot pattern and narrow building

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design results in a visually pleasing and cohesive residential neighbourhood. It reflects a contemporary townhouse subdivision design and does not create functional deficiencies.

Discussion of Requested Relief for Apartment Development (Block 2)

Provision	URM2 Zone (apartment building, stacked townhouse)	Proposed E175
Maximum height (metres)	Table 12.3.1.3 12.5	20.8
Minimum front setback (metres)	Table 12.3.1.4 The lesser of: (a) 6.0 (b) average of the existing front setbacks of the adjacent buildings, to a minimum of 3.0 metres	3.0
Minimum Driveway or Drive Aisle Width – Perpendicular to drive aisle (metres)	Table 7.4.1.1. 6.7	6.0 The minimum width of a driveway from a private street to a common element parking lot is 5.5 metres.
Maximum Driveway Width within the front setback (metres)	Table 7.4.9.2 6.7	7.5
Long-term bike spaces, long-term bike spaces to be larger horizontal bike spaces (minimum percentage)	7.3.13.1 10% (6 bike spaces as applied)	4 bike spaces

Approval of the relief requested would facilitate the construction of the proposed 5-storey apartment with 58 new homes. This medium density residential development requires adjustments to the zoning that have been demonstrated through the submission material to be contextually appropriate and allow for a well-functioning apartment block.

The URM 2 Zone permits a maximum building height of 12.5 metres for an apartment building. The increased height allows for an additional floor of housing (12 units) and the hipped roof building design. This additional height is not anticipated to result in any adverse effects given

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the hipped roof profile and the building’s placement on the site along Midland Avenue and away from the neighbouring low-rise residential neighbourhood.

The proposed 3.0 metre setback from Midland Avenue aligns with the minimum front setback permitted when taking into consideration adjacent development with a shallow front setback. In an urban setting, this setback provides an adequate separation from the right-of-way and the inclusion of pedestrian friendly at-grade improvements. In this proposal there are landscaping improvements along the street including a planting bed at the base of the building (a row of Diablo Purple Leaf Ninebark shrubs with a Black-Eyed Susan perennials in front) and a planting strip creating a line of Red Osier Dogwoods under a Native Red Maple tree. The new landscaping will enhance the streetscape, shelter the adjacent walkway and provide the amenity area with privacy. The proposed front setback is appropriate given how it contributes to the Midland Avenues streetscape.

The requested increase to the driveway width to 7.5 metres is limited to the driveway access off Midland Avenue. This change is required to accommodate vehicle movements from Midland Avenue, specifically that of aerial fire trucks and dual (medium single unit) trucks and preserve sightlines.

Similar to the townhouse portion of this development, there is relief sought to reduce the drive aisle width from 6.7 metres to 6.0 metres. The submission material sufficiently demonstrates that access, maneuvering, surface treatment and legibility has been considered.

Enhanced bike parking facilities for multi-unit residential buildings require that 10% of long-term bike spaces are sized to accommodate larger electric bikes. The proposed reduction from six to four larger bike spaces is reasonable given the overall number of bike spaces provided.

Discussion of Requested Relief for Existing Gas Station and Car Wash (Block 3)

Provision	CG Zone (gas station)	Proposed E176
Minimum interior setback (metres)	Table 15.6.1.7. 9.1	2.8
Drive-thru separation distance to a residential lot (metres)	4.7.1 15.0	9.0
Planting Strip between non-residential use and abutting residential use	4.16.1.2. The minimum height for the row of trees or a continuous hedgerow of evergreens or shrubs located in the planting strip is 1.5 metres;	No row of trees or continuous hedgerow is required in the planting strip

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Through the draft plan of subdivision application, a new parcel fabric is proposed for the existing gas station on the site. Approval of the relief requested would bring the existing gas station and carwash in the Kingston Zoning By-Law and permit the adjacent residential development.

New corresponding setback distances are proposed from the existing built form to bring this new lot into the CG Zone. This includes an interior setback of 2.8 metres between the car wash structure and the north lot line adjacent to the apartment block. This reduction to the interior setback is reasonable considering a surface parking area separates the car wash from the apartment building. The parking lot provides an acceptable transition between the gas station use and the residential use, resulting in a negligible impact on the adjacent residences. There are no changes to the functionality of the gas station use that would result from this decrease in interior side yard setback.

At the rear of the gas station building is a drive-through. Though no drive-through use is currently present on the site, the zoning by-law provisions for drive-throughs still apply. Of interest are a minimum separation distance of 15.0 metres to a residential lot and the provision of a planting strip. The separation distance is infringed upon by the lanes for the drive-through are located approximately 9 metres from the property line that will divide the commercial property from the townhouse block. The submission material proposes to mitigate this by providing a 2.5 metre noise attenuating fence along the lot line that will provide a visual and sound separation, a 3.1 metre planting strip, and a rear yard setback. The proposed amendment to permit a 9.0 metre setback between the outside edge of the drive-through laneway and the property line for the proposed residential use have been demonstrated to be acceptable as potential negative impacts have been mitigated.

The Kingston Zoning By-Law requires a minimum 3.0-metre-wide planting strip along the north and west edges of the gas station and car wash use. This is intended to provide a visual buffer between the drive-through and the proposed residential development. The planting strip is described as containing a row of trees or a continuous hedge of at least 1.5 metres in height. Along the north edge of the proposed commercial use parcel is a planting strip with a row of trees and along the western property line is a grassed planting strip with a 2.5-metre-tall acoustic fence adjacent to Townhouse Blocks E and F. As the fence will provide a visual and acoustic barrier between the two uses a 1.5-metre-tall hedgerow is not required to meet the intent of the planting strip.

Other Applications

This property is currently subject to a Site Plan Control for the proposed residential development (D11-007-2021).

Technical Analysis

This application has been circulated to external agencies and internal departments for review and comment. All comments on the proposal have been addressed and no outstanding issues with this application remain at this time.

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Public Comments

The following is a summary of the public input received to October 7, 2024, including a summary of the feedback received at the Community Meeting on October 21, 2021. All original written public comments are available in Exhibit O of this report.

- Question: How will parking be provided to avoid more parking on public streets?

Response: The number of vehicle parking spaces in the proposed residential development exceed the requirements of the Kingston Zoning By-Law.

At the Townhouse Block each lot will have two vehicular parking spaces, one in the driveway and a second in the attached garage as well as four visitor spaces for use by townhouse residents. This Kingston Zoning By-Law (as amended) requires 1.0 parking spaces per lot for a townhouse in this parking area. This application proposes 66 parking spaces where 31 are required which is a parking ratio of 2.13.

At the Apartment Block, a total of 73 at-grade parking spaces are proposed. This is a parking ratio of 1.25 spaces per unit. The vehicular parking includes 58 standard parking spaces, three car-space spaces and nine visitor spaces of which three are accessible spaces and three are electric vehicle (EV) ready spaces.

- Question: How will stormwater be managed on site?

Response: The Stormwater Management Report provided in support of this application demonstrates that the site has been designed to control post-development run-off to pre-development levels through on-site storage and controlled release. On-site storage is achieved through pipes, manholes, surface ponding and a stormwater infiltration chamber under the surface parking area. Flows will be controlled such that they do not exceed the allowable release rates into the city storm water system.

- Question: How will the townhouses access Cataraqui Woods Drive or will this traffic be directed to Midland Avenue?

Response: The site layout includes three points of access to the development site. There is an entry of Cataraqui Woods Drive and two points of entry off Midland Avenue on either side of the proposed apartment building. The access points off Midland Avenue are existing with the northmost being a shared access with the adjacent property. The townhouses will be accessible through all three access points as a condition of draft plan approval is reciprocal easement to provide pedestrian and vehicular access between all three blocks.

Effect of Public Input on Draft By-Law and Draft Conditions

Since the Community Meeting in October of 2021, the proposal has gone through an iterative design process which was informed by the feedback received. Since the original proposal, the

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overall number of homes has been reduced from 34 townhouses and 64 apartments to 31 townhouses and 58 apartments. As a result, the overall parking needs have been reduced.

Conclusion

The proposed development at 1233 Midland Avenue with 31 townhomes and a 5-storey apartment with 58 dwelling units makes good use of an underutilized, fully serviced property within the City’s Urban Boundary. This medium density residential infill development containing a range of housing options is supported by both the Provincial Planning Statement and the Kingston Official Plan where the new residential uses are near public transit, local amenities, parkland, and commercial services.

The proposed zoning by-law amendment necessary to enable this development was supported by several studies submitted by qualified professionals. These studies were reviewed and accepted by City staff, recognizing that the detailed elements of site design will be carefully considered future Final Plan of Subdivision and Site Plan Control applications. This proposal meets the intent of the Provincial Planning Statement, the Kingston Official Plan, and represents responsible planning for new growth. It is therefore recommended that the application be approved.

Existing Policy/By-Law:

The proposed amendment 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

Planning Act

Provincial Planning Statement, 2024

Municipal

City of Kingston Official Plan

Zoning By-Law Number 2022-62,

Notice Provisions:

Pursuant to the requirements of the *Planning Act*, notice of the statutory public meeting was provided 20 days in advance of the public meeting in the form of a sign posted on the subject property and by mail to 168 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. In addition, a courtesy notice placed in The Kingston Whig-Standard on October 29, 2024.

If the application is approved, a Notice of Passing will be circulated in accordance with the provisions of the *Planning Act*.

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At the time of writing of this report, 2 pieces of written public correspondence have been received and all planning related matters have been addressed within the body of this report. Any public correspondence received after the publishing of this report will be included as an addendum to the Planning Committee agenda.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

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

Lindsay Reid, Senior Planner – Urban Designer, 613-546-4291 extension 3277

Meghan Robidoux, Senior Planner, 613-546-4291 extension 1256

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Draft By-Law and Schedules A and B to Amend Zoning By-Law Number 2022-62
- Exhibit B Draft Plan of Subdivision
- Exhibit C Proposed Draft Plan of Subdivision Conditions
- Exhibit D Key Map
- Exhibit E Neighbourhood Context
- Exhibit F Consistency with the Provincial Planning Statement
- Exhibit G Official Plan, Land Use
- Exhibit H Conformity with the Official Plan
- Exhibit I Zoning By-Law Number 2022-62
- Exhibit J Proposed Site Plan
- Exhibit K Landscape Plan

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- Exhibit L Townhouse Elevations (Block A sample)
- Exhibit M Apartment Elevations
- Exhibit N Site Photographs
- Exhibit O Public Notice Notification Map
- Exhibit P Public Comments

By-Law Number 2024-XX

A By-Law to Amend By-law Number 2022-62, “Kingston Zoning By-law Number 2022-62” (Transfer of Lands into Kingston Zoning By-law and Introduction of Exception Numbers E174, E175 and E176, (1233 Midland Avenue))

Passed: [Meeting Date]

Whereas the Council of The Corporation of the City of Kingston enacted By-law Number 2022-62, “Kingston Zoning By-law Number 2022-62” (the “Kingston Zoning By-law”);

Whereas the subject lands are identified as “Not Subject to this By-law” on Schedule 1 of the Kingston Zoning By-law;

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend the Kingston Zoning By-law to incorporate the subject lands into the Kingston Zoning By-law and to introduce new exception numbers;

Therefore be it resolved that the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-law Number 2022-62”, is amended as follows:
 - 1.1. Schedule 1 – Zoning Map is amended by removing reference to “Not Subject to this By-law”, and by adding the zone symbols ‘CG’ and ‘URM2’, as shown on Schedule “A” attached to and forming part of this By-Law.
 - 1.2. Schedule E – Exception Overlay is amended by adding Exception Numbers E174, 175 and E176, as shown on Schedule “B” attached to and forming part of this By-Law.
 - 1.3. By adding the following Exception Number E174 in Section 21 – Exceptions, as follows:

“**E174.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

 - (a) The following provisions apply to the ‘Townhouse Parcel’ as shown on Figure E174:

- (i) The minimum **lot area** is 158.0 square metres;
 - (ii) The minimum **lot frontage** is 5.5 metres;
 - (iii) The **front setback** is measured from the **main wall** of a **building**. The second storey “box window” is an architectural feature which is permitted to encroach into the **front setback** in accordance with Clause 4.19.2;
 - (iv) The eaves are permitted to encroach up to 0.5 metres into the **front setback**, in accordance with Clause 4.19.2, to be measured from the outside edge of the second storey “box window”;
 - (v) The **interior setback** is 0.9 metres;
 - (vi) In addition to the definition of an **exterior setback**, the **exterior setback** also applies to a **lot line** that is not adjacent to another **residential lot**;
 - (vii) The minimum **rear setback** is 6.0 metres;
 - (viii) The maximum **lot coverage** is 55%;
 - (ix) The **setback** of exterior stairs from the **interior lot line** is 0.0 metres;
 - (x) The minimum **interior setback** of a **porch** will comply with Table 4.20.4, except along a common party wall where it may be 0.0 metres;
 - (xi) A privacy **fence** is not required between abutting **porches** in **front yards**;
 - (xii) A **balcony** will not encroach into an **exterior yard** or **interior yard** beyond the **main wall** of the **building**;
 - (xiii) The minimum number of **visitor parking spaces** is 4;
 - (xiv) The minimum width of a **drive aisle** is 6.0 metres; and
 - (xv) The minimum width of a **driveway** from a **private street** to a **common element parking lot** is 5.5 metres.
- (b) Despite the provisions in paragraph (a) above which apply to the ‘Townhouse Parcel’, the following provisions shall apply to the specified ‘Townhouse Blocks’ as shown on Figure E174:

(i) Block A

- i. The minimum **exterior setback** is 1.3 metres;
- ii. The minimum **exterior setback** of a **porch** with a **height** greater than 1.2 metres is 1.3 metres; and
- iii. A **walkway** to the main exterior entrances of the two interior **dwelling units** of Block A may be shared between the respective **dwelling units** and must have a minimum width of 1.6 metres.

(ii) Block B

- i. The minimum **exterior setback** is 0.8 metres;
- ii. The minimum **setback** between the eaves and the **exterior lot line** is 0.4 metres; and
- iii. The minimum **front setback** of a **porch** with a **height** greater than 1.2 metres is 5.0 metres.

(iii) Block C

- i. The minimum **front setback** is 5.9 metres; and
- ii. The minimum **front setback** of a **porch** with a **height** greater than 1.2 metres is 4.9 metres.

(iv) Block D

- i. The minimum **front setback** is 5.8 metres; and
- ii. The minimum **front setback** of a **porch** with a **height** greater than 1.2 metres is 4.8 metres.

(v) Block E

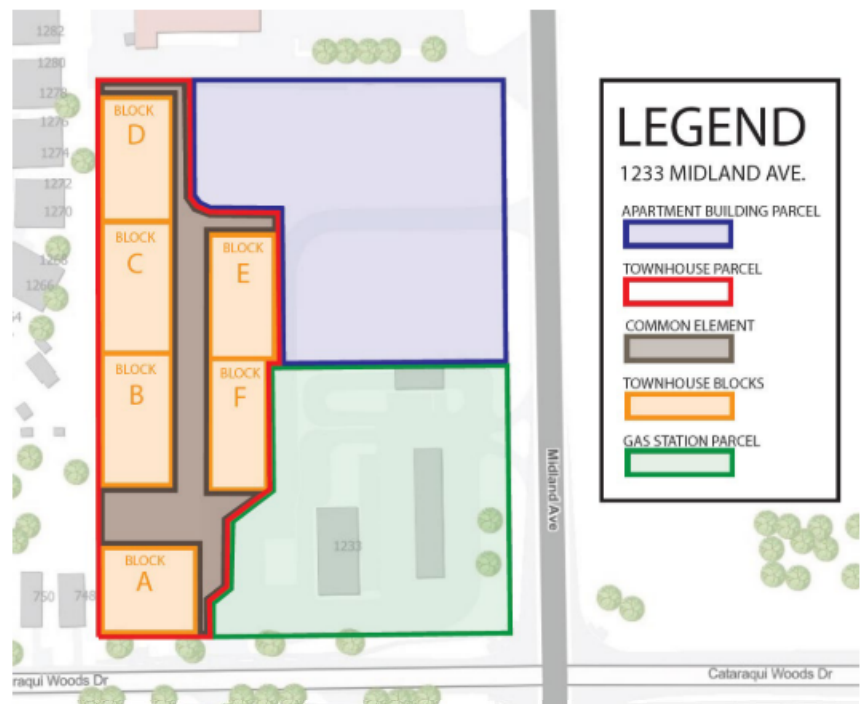
- i. The minimum **front setback** is 5.7 metres;
- ii. The minimum **exterior setback** is 1.2 metres;
- iii. The minimum **exterior setback** of a **porch** with a **height** less than 0.6 metres is 1.2 metres;
- iv. The minimum length of a **parking space** in a tandem configuration is 5.5 metres; and

v. The **driveway** and **walkway** may overlap.

(vi) Block F

- i. The minimum **front setback** is 5.7 metres;
- ii. The minimum length of a **parking space** in a tandem configuration is 5.5 metres; and
- iii. The **driveway** and **walkway** may overlap.

(c) **Figure E174**



1.4. By adding the following Exception Number E175 in Section 21 – Exceptions, as follows:

“**E175.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The maximum **building height** is 20.8 metres.
- (b) The minimum **front setback** is 3.0 metres.
- (c) The minimum width of a **drive aisle** is 6.0 metres.
- (d) The maximum width of a **driveway** within a **front setback** is 7.5 metres.

- (e) The minimum number of **long-term bike spaces** that must be provided as larger **horizontal bike spaces** is 4.”
- 1.5. By adding the following Exception Number E176 in Section 21 – Exceptions, as follows:
- “**E176.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) The minimum **interior setback** is 2.8 metres.
 - (b) The minimum **separation distance** from a **drive-through** to a residential **lot** is 9.0 metres.
 - (c) Instead of a **planting strip** that separates the **drive-through** from the adjacent **townhouses**, a 2.5 metre noise **fence** is required.”
2. The lands shown on Schedule “A” attached to and forming part of this By-Law are incorporated into the Kingston Zoning By-law and the provisions of City of Kingston By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, no longer apply to the lands.
3. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes
City Clerk

Bryan Paterson
Mayor



Schedule 'A' to By-Law Number

Address: 1233 Midland Ave
File Number: D35-005-2021

Kingston Zoning By-Law 2022-62 Schedule 1 - Zoning Map

Sch 1 New Zone

Lands to be Zoned CG

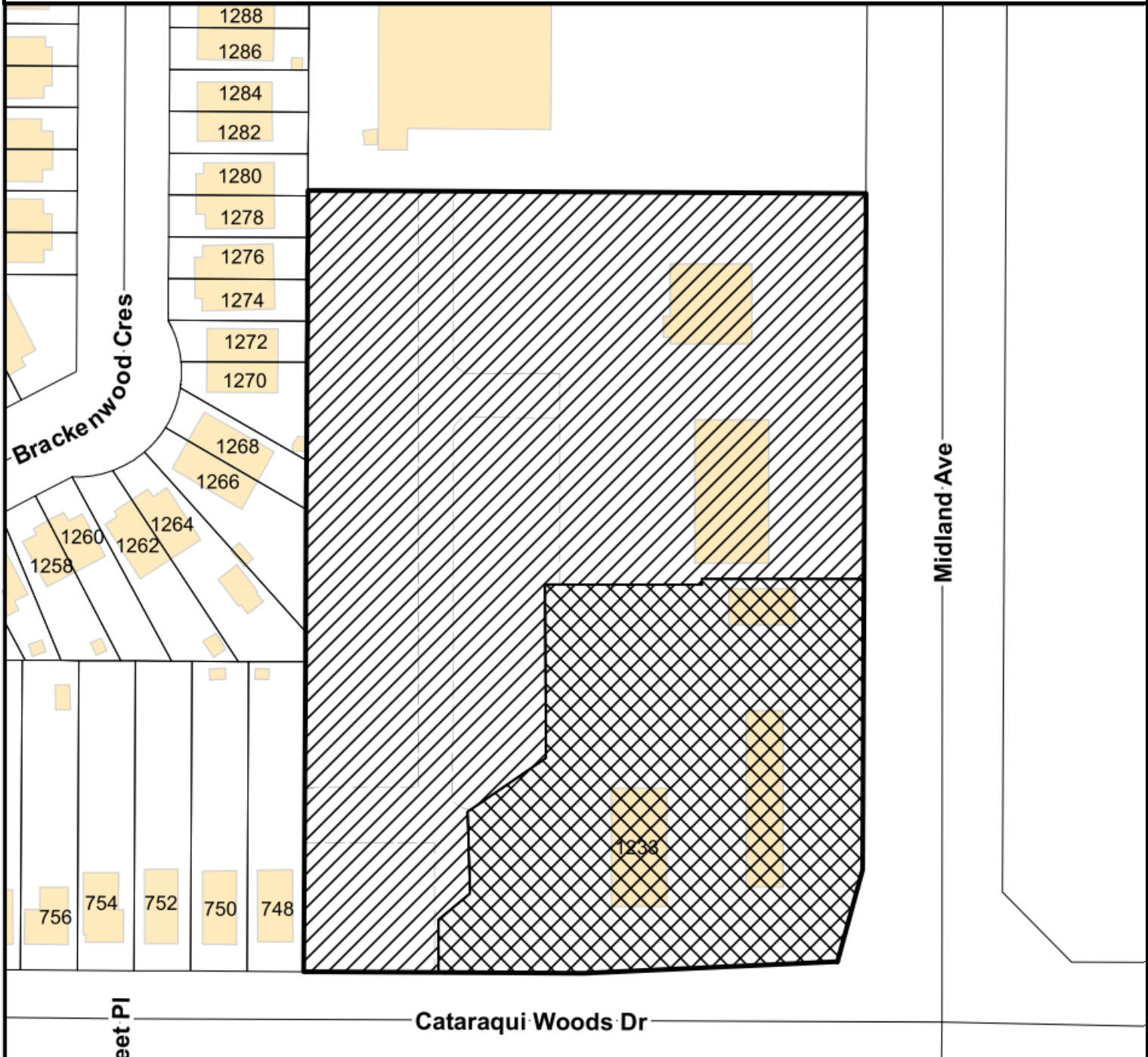
Lands to be Zoned URM2

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 202_.

Mayor

Clerk



Prepared By: jcameron
Prepared On: Sep-25-2024

1145 1146 743

0 10 20 30 Metres
1:1,250

↑ N

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Schedule 'B' to By-Law Number

Address: 1233 Midland Ave
File Number: D35-005-2021




Certificate of Authentication

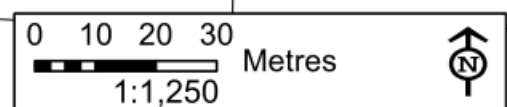
This is Schedule 'B' to By-Law Number _____, passed this _____ day of _____ 202_.

Mayor

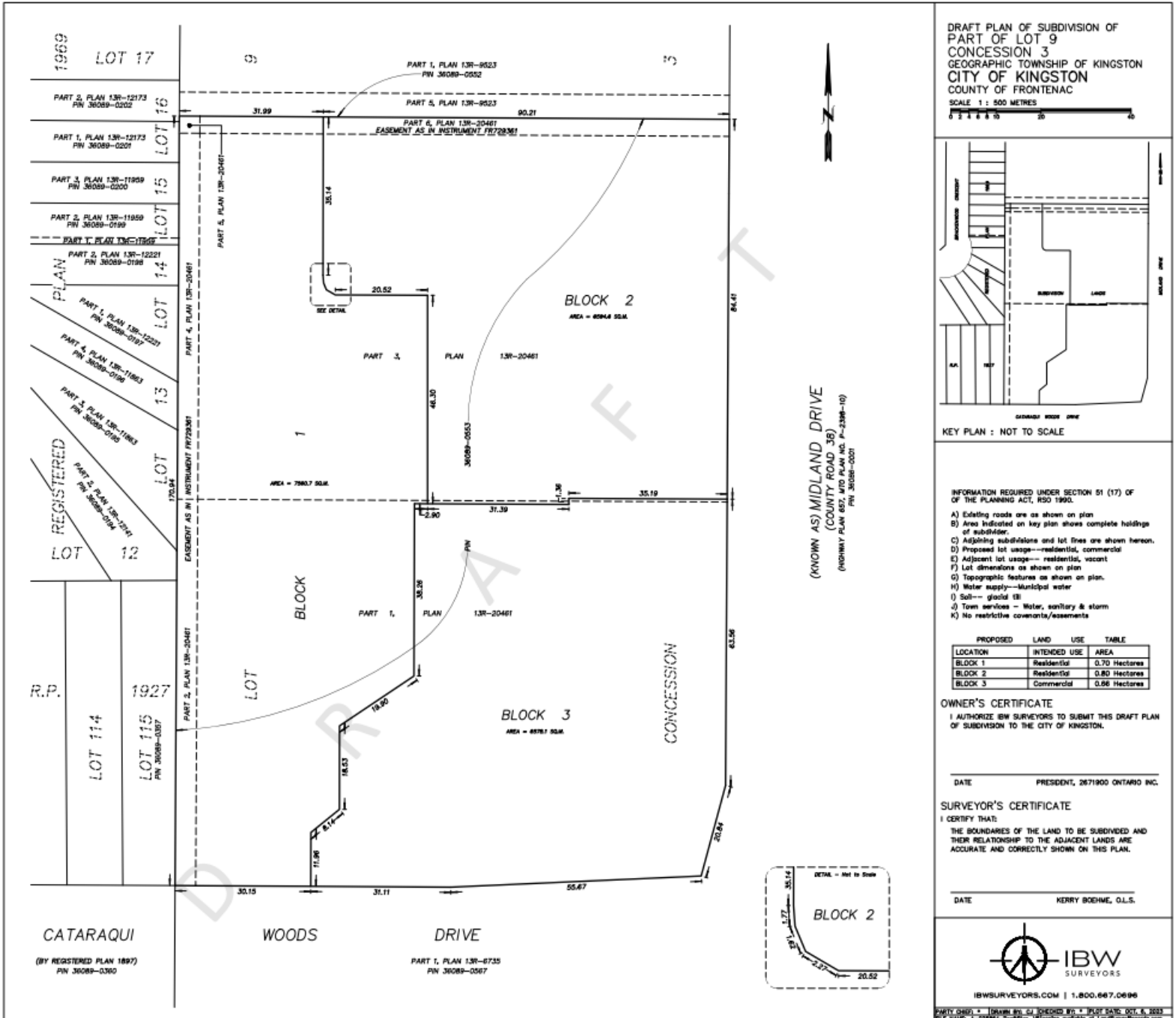
Clerk

Kingston Zoning By-Law 2022-62 Schedule E - Exception Overlay

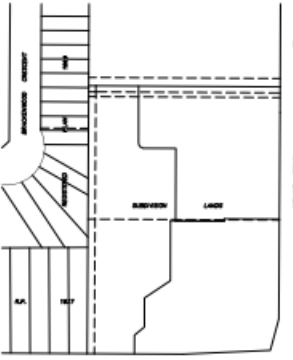
-  Lands to be added as E174
-  Lands to be added as E175
-  Lands to be added as E176



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DRAFT PLAN OF SUBDIVISION OF
PART OF LOT 9
CONCESSION 3
GEOGRAPHIC TOWNSHIP OF KINGSTON
CITY OF FRONTENAC
COUNTY OF FRONTENAC
SCALE 1: 500 METRES
0 2 4 6 8 10 20



- INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE PLANNING ACT, RSO 1990.
- A) Existing roads are as shown on plan
 - B) Area indicated on key plan shows complete holdings of subdivisor.
 - C) Adjoining subdivisions and lot lines are shown hereon.
 - D) Proposed lot usage—residential, commercial
 - E) Adjacent lot usage—residential, vacant
 - F) Lot dimensions as shown on plan
 - G) Topographic features as shown on plan.
 - H) Water supply—Municipal water
 - I) Soil—good
 - J) Town services—Water, sanitary & storm
 - K) No restrictive covenants/assessments

PROPOSED LOCATION	LAND INTENDED USE	USE TABLE AREA
BLOCK 1	Residential	0.70 Hectares
BLOCK 2	Residential	0.80 Hectares
BLOCK 3	Commercial	0.86 Hectares

OWNER'S CERTIFICATE
I AUTHORIZE IBW SURVEYORS TO SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE CITY OF KINGSTON.

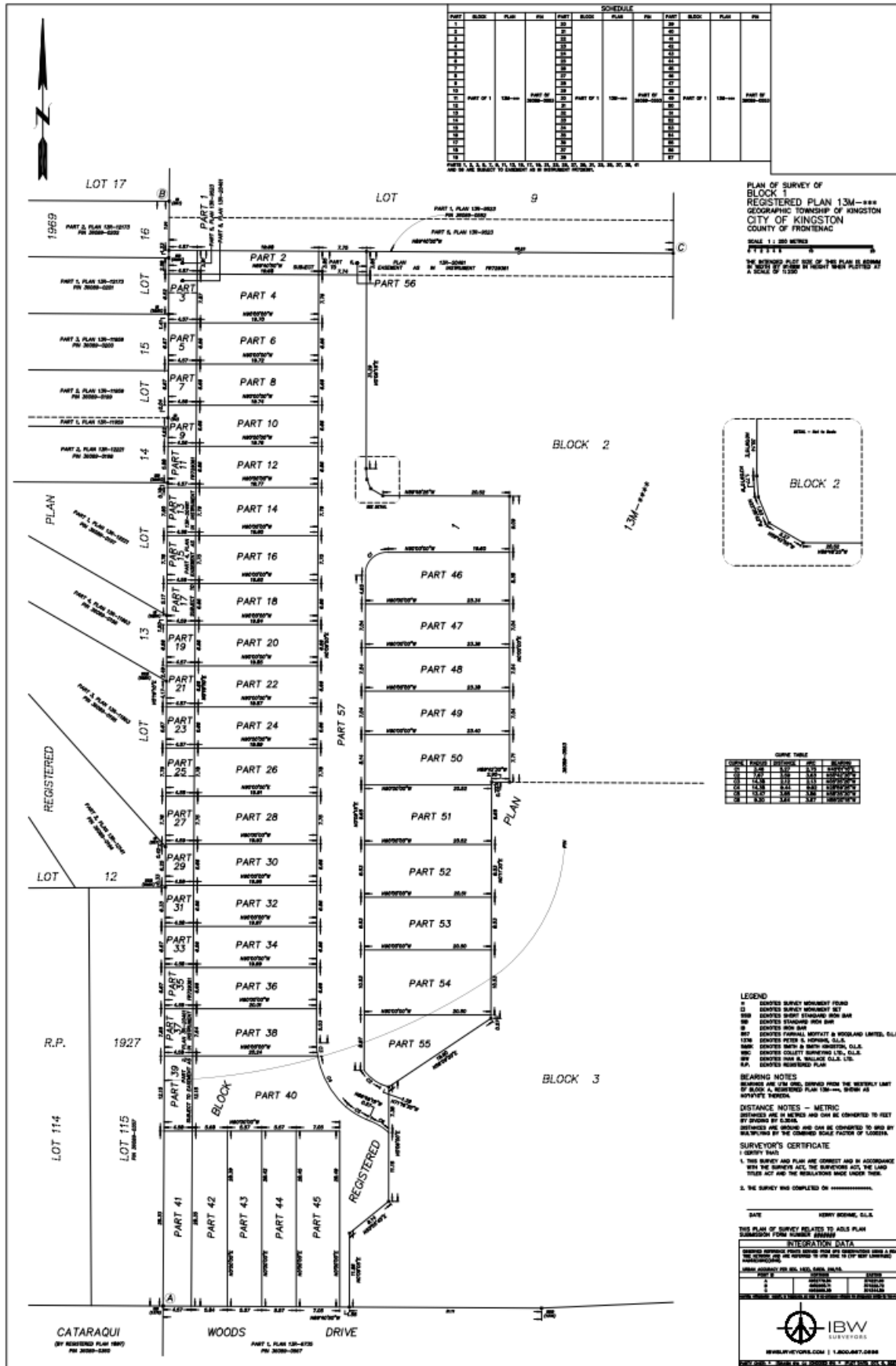
DATE _____ PRESIDENT, 2671900 ONTARIO INC.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATE AND CORRECTLY SHOWN ON THIS PLAN.

DATE _____ KERRY BOEHME, O.L.S.



IBWSURVEYORS.COM | 1.800.647.0696



Standard Conditions Of Draft Plan Approval

1. **Approved Draft Plan:**

That this approval applies to the Draft Plan of Subdivision, prepared by IBW Surveyors, dated October 6, 2023, which shows the following:

- 2 residential blocks (Blocks 1-2); and,
- 1 commercial block (Block 3).

2. **Streets and Civic Addressing:**

- That Prior to Final Approval**, the Owner shall submit proposed street names for approval by the Planning Services Department. The proposed street names shall be included on the first submission of the engineering drawings. The streets within this Plan shall be named to the satisfaction of the City, in consultation with the Planning Services Department, in accordance with the City's Civic Addressing and Road Naming By-Law.
- That Prior to Final Plan Approval**, the Owner shall provide confirmation that civic addresses have been assigned to the proposed lots and blocks by the City's Planning Services Department, in accordance with the City's Civic Addressing and Road Naming By-Law. The Owner shall be advised that the civic addresses are tentative until such time that the final plan is registered and the final lot layout has been confirmed.
- For lots with more than one road frontage, the lots will be addressed on the road frontage on which primary vehicular access is situated. Prior to applying for a building permit, the Owner shall confirm with the Planning Services Department the appropriate road frontage where primary vehicular access is to be provided and shall confirm the approved civic address in order to comply with the City's Civic Addressing and Road Naming By-Law and emergency response requirements.
- That the Owner shall agree that the location and design of any construction access shall be approved by the City and/or the appropriate authority.

3. **Reserves and Easements:**

- Any dead ends and open sides of a road allowance within this Plan shall be terminated in 0.3 metre reserves to be conveyed to the City free of all charges and encumbrances.
- That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority free of all charges and encumbrances.
- Prior to approval of the Final Plan**, the Owner shall convey reciprocal easements in perpetuity for the purposes of vehicular and pedestrian access between the lands described as Blocks 1, 2 and 3 on the Draft Plan of Subdivision. The Owner shall be responsible at its expense for arranging an Ontario Land Surveyor to prepare a reference plan depicting the reciprocal easements. The Owner shall provide a draft transfer as it relates to the reciprocal easements to the City for its review and written approval (the approved reference plan being the "Reference Plan").

4. Financial Requirements:

- (a) That the Owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City concerning all provisions of municipal services, including, but not limited to, fencing, lighting, landscaping, sidewalks, roads, installation of underground services, provisions for drainage and noise mitigation where required.
- (b) **That Prior to Final Plan Approval**, the Owner shall submit for the City's approval a detailed breakdown of the construction costs for the works associated with the development of this Plan, including any cash surcharges or special levies. The construction costs shall be prepared and stamped by a professional engineer. The cost estimate shall be submitted in the City's standard format for incorporation into both the Pre-Servicing and Subdivision Agreements.
- (c) That the Owner shall bear the expense of all off site works resulting from the approved public works design where such works are not subsidized under the policies and by-laws of the City.
- (d) That the Owner agrees to reimburse the City for the cost of any Peer Reviews of the Studies / Reports submitted in support of the proposed Plan of Subdivision.

5. Subdivision Agreement:

- (a) That the Owner shall enter into the City's standard Subdivision Agreement which shall list all approved plans and municipal conditions as required by the City for the development of this Plan.
- (b) The Subdivision Agreement between the Owner and the City will be registered against the lands to which it applies.
- (c) That the Subdivision Agreement shall contain all necessary warning clauses and notices to purchasers resulting from, but not necessarily restricted to, the design and provision of services, including the requirement to provide and maintain private site specific works as necessary.

6. Condominium Agreement:

- (a) That the Owner shall enter into the City's standard Condominium Agreement for Block 1 as shown on the approved Draft Plan of Subdivision.
- (b) That the Condominium Agreement between the Owner and the City be registered against the lands to which it applies.
- (c) That the Condominium Agreement shall contain all necessary warning clauses and notice to purchasers.

7. Engineering Drawings:

- (a) **That Prior to Final Plan Approval**, the Owner shall submit for approval, subdivision design drawings, including design plans for all public works and services, prepared and certified by a Professional Engineer and designed pursuant to the City's Subdivision Design Guidelines to the satisfaction of the City. The plans shall form part of the Subdivision Agreement.
- (b) **That Prior to Final Plan Approval**, the Owner shall submit a digital listing of the approved subdivision design drawings in the City's standard format for incorporation into the Pre-Servicing and Subdivision Agreement.

8. Revisions to Draft Plan:

- (a) That any further subdivision of Blocks or additional road patterns on the Plan shall be completed to the satisfaction of the City.
- (b) **That Prior to Final Plan Approval** of any part of the Plan, the Owner shall submit a revised Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.
- (c) That where final engineering design(s) result in minor variations to the Plan (e.g., in the configuration of road allowances and lotting, number of lots, etc.), these may be reflected in the Final Plan to the satisfaction of the City.

9. Phasing:

- (a) That Final Plan Approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees.
- (b) That the phasing of the development shall be reflected in the Subdivision Agreement and on the approved subdivision design drawings to the satisfaction of the City, taking into account the temporary termination of underground services, interim grading, interim stormwater management, operations and maintenance vehicle access and access for emergency vehicles.
- (c) That the phasing of the development shall be proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services.
- (d) That all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

10. Zoning By-Law Compliance:

- (a) That the lands within this Draft Plan shall be appropriately zoned by a Zoning By-Law which has come into effect in accordance with the provisions of the *Planning Act*.

- (b) **That Prior to Final Plan Approval**, the Owner shall submit a Surveyor's Certificate which confirms that the lots and blocks within this Plan conform to the minimum lot frontage and lot area requirements of the applicable Zoning By-Law.

11. Required Studies:

- (a) **That Prior to Final Plan Approval**, the Owner shall submit a **Geotechnical Study**, certified by a Professional Engineer, to the satisfaction of the City. The recommendations of the Geotechnical Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the City.
- (b) **That Prior to obtaining Building Permits**, the Owner shall file a Record of Site Condition (RSC) with the Ministry of the Environment, Conservation and Parks indicating that the site meets provincial standards for residential use (O.Reg. 153/04). Based on the current commercial use, the conversion to mixed use commercial/residential is deemed a prohibited change of land use per Ontario Regulation 153/04. The RSC must be completed by a qualified person and in accordance with all requirements of O.Reg. 153/04, as amended. All supporting documents listed in the RSC must also be provided for the City's review.
- (c) **That Prior to Final Plan Approval**, all recommendations of the Servicing Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the City.
- (d) **That Prior to Final Plan Approval**, the Owner shall submit a **Traffic Impact Report**, prepared by a professional engineer to the satisfaction of the City. The Subdivision Agreement shall contain provisions for the Owner to design, construct and financially secure the costs of any off site road improvements as are deemed necessary by the Report's recommendations to the satisfaction of the City's Director of Transportation Services.
- (e) **That Prior to Final Plan Approval**, a **Stormwater Management Report** and implementing plans for the development shall be prepared by a qualified Professional Engineer, to the satisfaction of the City. Such plans shall be included in the Subdivision Agreement. The Owner shall carry out the recommendations of the report, at their expense, to the satisfaction of the City.
- (f) **That Prior to Final Plan Approval**, the Owner shall submit a detailed **Noise Impact Study** prepared to the satisfaction of the City and the Ministry of the Environment, Conservation and Parks. The recommendations of the Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the City.

12. Archaeological Assessment:

- (a) That the Subdivision Agreement shall contain provisions that 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.
- (b) That the Subdivision Agreement shall contain provisions that 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 Officer of the Chief Coroner as a part of the Ministry of the Solicitor General (1-877-991-9959), the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (archaeology@ontario.ca), and the City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

13. Stormwater Management:

- (a) **That Prior to Final Plan Approval**, the Owner shall submit lot grading and drainage plans, and erosion and sediment control plans prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City. The approved plans shall be included in the Subdivision Agreement between the Owner and City.
- (c) **Prior to Final Plan Approval and Prior to any Works Commencing on the Site**, the Owner shall submit for written approval by the City, a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
 - i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
 - ii) the location and description of all outlets and other facilities;
 - iii) storm water management techniques which may be required to control minor and major flows;
 - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
 - v) overall grading plans for the subject lands; and
 - vi) storm water management practices to be used to treat storm water, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat.
- (d) That the Owner shall be required to maintain all storm water management and erosion and sedimentation control structures in operational condition and good repair during the construction period.

14. Parkland Conveyance / Open Space / Environmental Protection Areas:

- (a) **That Prior to Final Plan Approval**, the Owner shall convey up to 10% of the land included in the Plan of Subdivision to the City for functional park or other public recreational purposes in the form of cash-in-lieu of parkland, in accordance with By-Law Number 2022-145.

15. Tree Inventory:

- (a) As part of the Final Plan of Subdivision, the Owner shall provide a Tree Preservation and Protection Plan prepared by the consulting arborist for the project along with an Arborist Report outlining all measures to be taken pre, during, and post construction as they pertain to tree preservation zones.

16. Canada Post - Community Mail Boxes:

- (a) **That Prior to Final Plan Approval**, the Owner shall, in consultation with and to the satisfaction of Canada Post, identify the location of community mail boxes within the Plan, and shall identify such locations on drawings for approval by the City.
- (b) **That Prior to Final Plan Approval**, the Owner shall, in consultation with and to the satisfaction of the City, provide detailed design plans for the community mail boxes including a landscape plan showing street furniture and complimentary architectural features.
- (c) That the Owner shall provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
- (d) That the Owner shall identify in all offers of purchase and sale, or lease for all lots and blocks within this Plan that mail delivery will be provided via a community mail box, provided that the Owner has paid for the activation and equipment installation of the community mail box, and the locations of all community mail boxes within this Plan. A Notice to Purchasers shall also be included in the Subdivision Agreement to this effect.

17. Bell Canada Requirements:

- (a) That the Owner shall meet the following conditions of Bell Canada:
 - i. that the Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunications services;
 - ii. that the Owner shall be requested to enter into an Agreement (Letter of Understanding) with Bell Canada complying with any underground servicing conditions imposed by the Municipality, or if no such conditions are imposed, the Owner shall advise the Municipality of the arrangements for servicing; and
 - iii. the Owner is hereby advised that prior to commencing any work within the Plan, the Owner must confirm that sufficient wire-line communication/telecommunication

infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Owner is hereby advised that the Owner may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Owner elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Owner shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (ie., 911 Emergency Services).

18. Enbridge Gas Requirements:

- (a) Prior to registration of the Plan, the Owner shall make satisfactory arrangements with Enbridge Gas Inc. (Enbridge Gas) to provide the necessary easements and/or agreements required by Enbridge Gas for the provision of local gas service for this project. Once registered, the Owner shall provide these easements to Enbridge Gas at no cost, in a form agreeable and satisfactory to Enbridge Gas.

19. Hydro One Requirements:

- (a) **That Prior to Final Plan Approval**, the Owner shall satisfy all technical, financial, and other requirements of Hydro One regarding the design, installation, connection and/or expansion of the electric distribution services.
- (b) The costs of any relocations or revisions to Hydro One facilities that are necessary to accommodate this subdivision shall be borne by the Owner.

20. Utilities Requirements:

- (a) **Prior to Final Plan Approval**, the Owner shall satisfy all technical, financial and other requirements of Utilities Kingston regarding the design, installation, connection and/or expansion of water distribution services and sanitary sewer distribution services, or any other related matters.
- (b) The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with Municipal standards and specifications.

21. Warning Clauses:

That the Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots / blocks within this Plan:

- (a) within the entire subdivision plan:
 - "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise

levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants.”

- “Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet City of Kingston lot grading criteria in certain areas to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions”.
- “Purchasers and/or tenants are advised that the planting of trees on Municipality boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the Subdivision Agreement. While every attempt will be made to plant trees as shown, the Municipality reserves the right to relocate or delete any boulevard tree without further notice.”
- “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings.”
- “Purchasers are advised that, where a fence and/or retaining wall has been installed by the Developer, the fence and/or retaining wall is to be maintained by the homeowner.”

(d) abutting a potential transit route:

- “Purchasers and/or tenants are advised that transit routes operate on Cataraqui Woods Drive and Midland Avenue.”

22. Model Homes:

That where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill all relevant conditions of that agreement prior to issuance of a building permit.

23. General Conditions:

- (a) **That prior to Final Plan Approval**, the Owner will submit a detailed account of how each Condition of Draft Plan Approval has been satisfied.
- (b) That the Owner shall pay any and all outstanding application fees to the Planning Services Department, in accordance with the City’s Fees and Charges By-Law.
- (c) That when requesting Final Plan Approval from the City, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor’s certificate stating that the lots/blocks thereon conform to the frontage and area requirements of the Zoning By-Law.
- (d) That the Owner agrees to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan; any modification to off-site driveways

required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.

- (e) That the Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing prior to assumption of the works by the municipality.
- (f) **That Prior to Final Plan Approval**, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent, built or proposed, that have been designed and oversized by others to accommodate the subject plan.
- (g) That the Owner shall agree to erect fencing in the locations and of the types as shown on the approved subdivision works drawings and as required by the City.
- (h) The Owner shall agree that no building permits, with the exception of model homes, will be applied for until the City is satisfied that adequate access, municipal water, sanitary and storm services are available.

24. Clearance Letters:

- (a) **That Prior to Final Plan Approval**, the approval authority shall advise that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each Condition has been met.
- (b) **That Prior to Final Plan Approval**, the City is to be advised in writing by Canada Post the method by which Conditions 16 have been satisfied.
- (c) **That Prior to Final Plan Approval**, the City is to be advised in writing by Bell Canada the method by which Condition 17 has been satisfied.
- (d) **That Prior to Final Plan Approval**, the City is to be advised in writing by Enbridge Gas the method by which Condition 18 has been satisfied.
- (e) **That Prior to Final Plan Approval**, the Municipality is to be advised in writing by Hydro One the method by which Conditions 19 have been satisfied.

25. Lapsing Provisions:

- (a) That pursuant to Section 51(32) of the *Planning Act*, this Draft Plan Approval shall lapse at the expiration of **three (3) years from the date of issuance of Draft Plan Approval** if final approval has not been given, unless an extension is requested by the Owner and, subject to review, granted by the approval authority.
- (b) That pursuant to Section 51(33) of the *Planning Act*, the Owner may submit a request to the approval authority for an extension to this Draft Plan Approval. The extension period shall be for a maximum of two (2) years and must be submitted prior to the lapsing of Draft Plan Approval. Further extensions may be considered at the discretion of the approval authority where there are extenuating circumstances.

Notes To Draft Plan Approval:

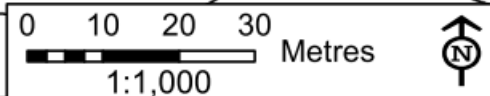
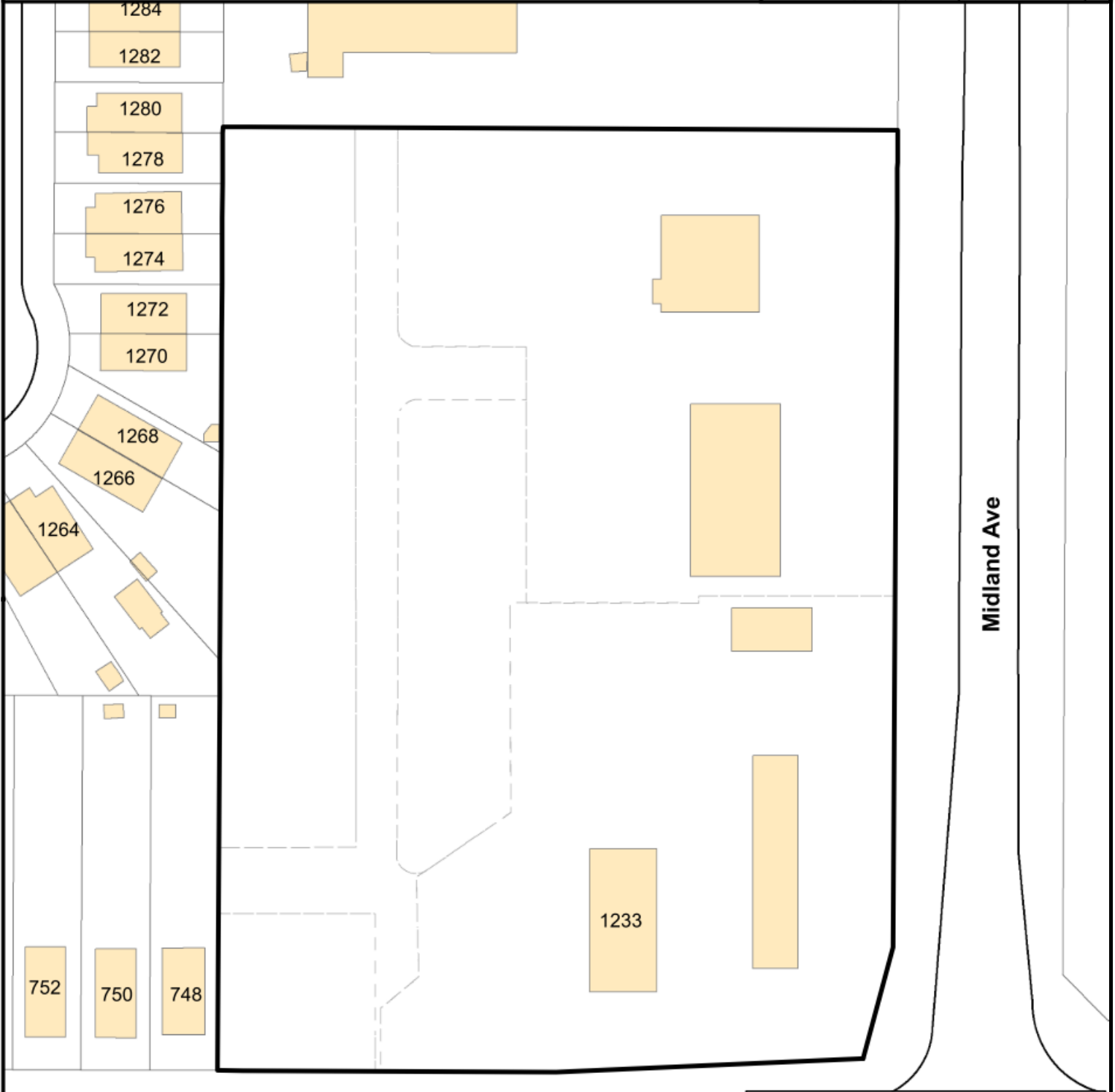
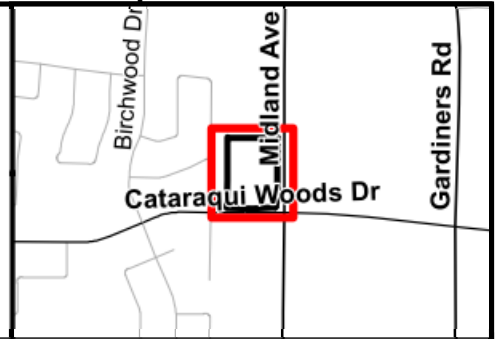
1. It is the Owner's responsibility to fulfill the foregoing Conditions of Draft Plan Approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Planning Services Department of the City of Kingston.
2. **Prior to Final Plan Approval**, the Owner shall submit to the City of Kingston for review four (4) draft copies of all Reference Plans and Surveys and three (3) draft copies of the Final M-Plan.
3. When requesting final approval, such a request must be directed to the Planning Services Department and be accompanied with:
 - eight (8) mylars and four (4) paper prints of the completed Final M-Plan,
 - four (4) copies of all Reference Plans and (4) copies of all Conveyance Documents for all easements and lands being conveyed to the Municipality; and,
 - a Surveyor's Certificate to the effect that the lots and blocks on the Plan conform to the Zoning By-Law.
4. All measurements in subdivision final plans must be presented in metric units.
5. Hydro One advises that an electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "**DANGER – Overhead Electrical Wires**" in all locations where personnel and construction vehicles might come in close proximity to the conductors.
6. The Final Plan approved by the Municipality must be registered within thirty (30) days or the Municipality may, under Subsection 51(59) of the *Planning Act*, withdraw its approval.



Planning Committee Key Map

Address: 1233 Midland Ave
File Number: D35-005-2021
Prepared On: Sep-25-2024

Subject Lands



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Planning Committee Neighbourhood Context

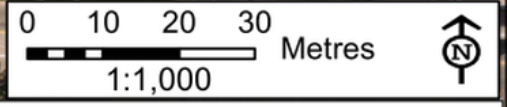
Address: 1233 Midland Ave
File Number: D35-005-2021
Prepared On: Sep-25-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



Prepared By: ncameron
Prepared On: Sep-25-2024

Cataraqui Woods Dr



Demonstration of How the Proposal is Consistent with the Provincial Planning Statement (2024)

Policy	Commentary
2.2 Housing	
<p>2.2.1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:</p> <ul style="list-style-type: none"> b) permitting and facilitating: <ul style="list-style-type: none"> 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3; c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations. 	<p>The proposed development which will provide 89 new homes in the form of 31 new townhouses and 58 apartment units (one-, two- and three- bedroom units) supports Council’s housing supply goals in a form and location that aligns with market demand for housing needs.</p> <p>The recent Council-endorsed growth scenario outlined in Report Number 24-016 anticipates that the city will grow from 154,100 people in 2021 to 220,900 people by 2051. This represents 66,800 new residents, 29,300 new houses and 33,400 new jobs over the next 27 years. The recently amended Official Plan anticipated a population of 141,050 people by 2036 (which the city has already exceeded) and the CMHC recently reported that the vacancy rate for the purpose-built rental housing market in the Kingston Census Metropolitan Area (CMA) is at 0.8%.</p> <p>Council’s Strategic Plan includes a target to increase the overall housing supply of all forms of and tenure of new housing forms by 4,800 residential homes over the Council term. In 2023, the province requested that the City demonstrate its commitment to accelerating housing supply by developing a Municipal Housing Pledge to identify the tools and strategies the City intends to use to support and facilitate the construction of 8,000 new homes by 2031.</p> <p>The Mayor’s Taskforce on Housing’s report “A Foundation for the Public Good – Recommendations to Increase Kingston’s Housing Supply for All” (2019) encourages the creation of low-rise accessible multi-unit dwellings also known as ‘missing middle’ housing in established neighborhoods as a way to increase the housing supply in already</p>

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	<p>developed areas. It also indicates an on-going demand for apartments to serve single middle-aged adults (one of the largest groups in core housing need) with one-bedroom units and young seniors in larger apartments.</p> <p>This medium-density development located at the intersection of a collector road and an arterial road proposes a compact residential development on an underutilized site to efficiently utilizes existing municipal infrastructure including water and wastewater servicing, transportation network and transit services, public service facilities and public parks.</p>
<p>2.3 Settlement Areas and Settlement Area Boundary Expansions</p>	
<p>2.3.1.1. Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.</p>	<p>The subject lands are in a settlement area as defined by the Provincial Planning Statement (PPS). The proposal represents appropriate intensification on an underutilized site within the City’s existing built-up area.</p>
<p>2.3.1.2 Land use patterns within settlement areas should be based on densities and a mix of land uses which:</p> <ul style="list-style-type: none"> a) efficiently use land and resources; b) optimize existing and planned infrastructure and public service facilities; c) support active transportation; d) are transit-supportive, as appropriate; and e) are freight-supportive. 	<p>The intensification of these underutilized lands in the urban boundary is an efficient use of land. The proposed townhouses and apartments provide an appropriate mix of uses in a compatible built form that is supported by amenity spaces, and municipal (water, sanitary, storm and roads) services.</p> <p>Servicing reports indicate that sufficient capacity exists to service the development without the need for expansion. The property provides access to a park, public service facilities and amenities. Future residents will also have access to commercial retail stores to meet their daily needs.</p> <p>The development also encourages active transportation as it is located along several transit routes, is adjacent to a road with bike lanes, is within walking distance to commercial and open space uses and provides new internal sidewalks (connected to</p>

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	existing municipal sidewalks) and bike parking.
<p>2.3.1.3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.</p>	<p>As noted, this development provides a variety of housing options and commercial uses on an underutilized site with municipal services. The site is in an area with transit options, commercial and employment uses, public facilities and services required for daily living.</p> <p>'Complete community' is a newly defined term in the 2024 PPS. It speaks to mixed-use neighbourhoods that support equitable access to the necessities of daily living for all people – a mix of jobs, a range of housing, transportation options, public service facilities, local stores and services. It also notes that a complete community may look different depending on the context.</p>
<p>2.9 Energy Conservation, Air Quality and Climate Change</p>	
<p>2.9.1. Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:</p> <ul style="list-style-type: none"> a) support the achievement of compact, transit-supportive, and complete communities; b) incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities; c) support energy conservation and efficiency; d) promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and e) take into consideration any additional approaches that help reduce greenhouse gas emissions 	<p>This residential development is a compact and transit supportive proposal that would contribute to a complete community.</p> <p>Approaches to address climate change include the intensification of a site within an already built-up area, adequate stormwater management practices and the provision of new trees and green spaces throughout the development.</p>

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and build community resilience to the impacts of a changing climate.	
3.6 Sewage, Water and Stormwater	
3.6.2. Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.	A servicing report was prepared by a qualified person as part of the submission and confirms that the proposal can be adequately serviced.
<p>3.6.8. Planning for stormwater management shall:</p> <ul style="list-style-type: none"> a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle; b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads; c) minimize erosion and changes in water balance including through the use of green infrastructure; d) mitigate risks to human health, safety, property and the environment; e) maximize the extent and function of vegetative and pervious surfaces; f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and 	<p>A stormwater management report was completed by a qualified person in support of the application and provides confirmation that the proposal can adequately manage stormwater in accordance with city requirements. No upgrades to municipal stormwater infrastructure are required to support the development.</p> <p>The site developed in accordance with the City's standard subdivision design guidelines which will require appropriate stormwater management controls.</p>






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<p>g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.</p>	
3.9 Public Spaces, Recreation, Parks, Trails and Open Space	
<p>3.9.1. Healthy, active, and inclusive communities should be promoted by:</p> <p>a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;</p> <p>b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;</p> <p>c) providing opportunities for public access to shorelines; and</p> <p>d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.</p>	<p>The site plan presents a considered layout with:</p> <ul style="list-style-type: none"> • integrated pedestrian and vehicular circulation within the site and to the adjacent streets; • lighting, clearly identifiable points of entry to the site and building entrances and emergency access routes; • amenity areas for to the townhouses and apartment building; • open sight lines; • accessibly features including the provision of barrier-free paths of travel with benches, signage, accessible dwelling units within the apartment and accessible parking located near building entrances; and, • walkways, open spaces and landscaping.
4.1 Natural Heritage	
<p>4.1.1. Natural features and areas shall be protected for the long term.</p>	<p>The site is not occupied by any natural heritage features.</p>
4.6 Cultural Heritage and Archaeology	
<p>4.6.1. Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.</p>	<p>The site has been cleared of archaeology.</p>

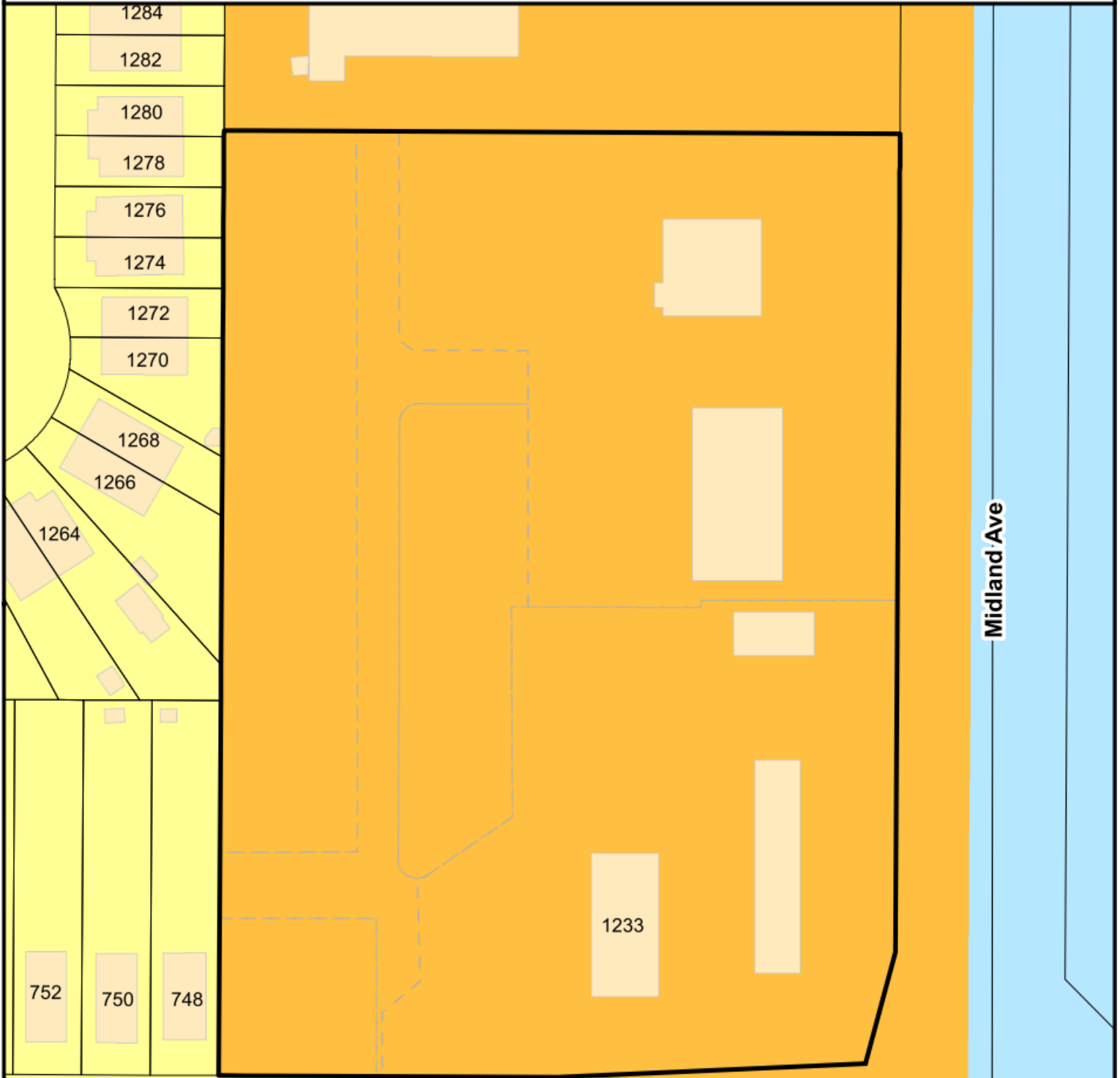
Policy	Commentary
4.6.2. Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.	See Section 4.6.1.
4.6.3. Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.	There are protected heritage properties adjacent to the subject lands.
5.3 – Human Made Hazards	
5.3.2 - Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.	As there is an existing gas station on the subject lands, the owner will need to file a Record of Site Condition with the Ministry of the Environment, Conservation and Parks indicating that the new residential parcels meet provincial standards for residential use prior to obtaining a Building Permit.



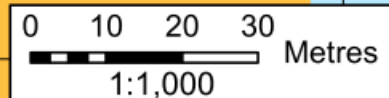
Planning Committee Official Plan, Existing Land Use

Address: 1233 Midland Ave
File Number: D35-005-2021
Prepared On: Sep-25-2024

-  Subject Lands
-  ARTERIAL COMMERCIAL
-  BUSINESS PARK INDUSTRIAL
-  GENERAL INDUSTRIAL
-  RESIDENTIAL



Cataraqui Woods Dr



Prepared By: ncameron
Prepared On: Sep-25-2024

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Demonstration of Conformity to the Official Plan

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<p>2.1.1. Most growth will occur within the Urban Boundary, shown on Schedule 2, where development will be directed to achieve greater sustainability through:</p> <ul style="list-style-type: none"> a. appropriate (minimum) densities; b. land use patterns that foster transit and active transportation; c. enhanced access to public amenities and spaces for all residents, visitors and workers; d. opportunities for sharing resources such as parking, utilities, and the land base for locally grown produce, in the form of urban agriculture, as well as educational, recreational or cultural assets; e. direction of new development and key land uses to areas where they can best result in sustainable practices; f. promotion of employment opportunities and alliances that enhance local skills, educational resources and the use 	<p>Strategic Policy Direction, Focus of Growth – Urban Areas</p>	<p>The subject lands are located within the City’s defined urban boundary where additional density is needed and desirable.</p> <p>The application proposes the introduction of new medium density residential infill in a location that meets the criteria of the Official Plan and will increase the overall urban density as a result.</p> <p>The subject lands are located adjacent to a transit stop along Cataraqui Wood Drive, opposite a transit stop on Midland Avenue and within 100 metres of two transit stop along Midland Avenue, south of Cataraqui Woods Drive. The site is also close to Transit Route 14 along Gardiners Road and the Cataraqui Centre Bus transfer.</p> <p>There is a growing network of sidewalks in the area including sidewalks on the north (in part) and south sides of Cataraqui Woods Drive and a sidewalk along the east side of Midland Avenue south of Cataraqui Woods Drive. There are bicycle lanes on Cataraqui Wood Drive, east of Midland Avenue. New sidewalks will be provided along the private streets and driveways which will serve to enhance the existing active transportation network.</p> <p>The subject property is on municipal water and sewer services and is in proximity to public amenities including schools, parks and community facilities. The property is within walking distance to Cataraqui</p>

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<p>of local products, including food;</p> <p>g. maximized use of investments in infrastructure and public amenities;</p> <p>h. strategies that will revitalize both neighbourhoods and employment areas, and rehabilitate brownfield sites for re-use;</p> <p>i. parks that are planned to be accessed by urban residents within a ten minute walk and situated in locations that lessen the need for pedestrians to cross an arterial road or major highway;</p> <p>j. where possible, the preservation of mature trees for shade and their other beneficial ecological and community effects;</p> <p>k. climate positive development;</p> <p>l. promotion of green infrastructure to complement infrastructure;</p> <p>m. encouraging a mix of land uses that provide for employment, education, personal service and convenience retail in close proximity to residential land uses, subject to compatibility</p>		<p>Woods Park, and near to the Invista Centre.</p> <p>The redevelopment of these underutilized lands from a partially vacant lot to a mixed residential and commercial development will contribute to this neighbourhood in a compatible manner.</p> <p>The addition of residential uses on a site with existing commercial uses allows for a mix of uses within the proposed subdivision in a manner that achieves the criteria of land use compatibility as defined in the Official Plan.</p>

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<p>matters as outlined in Section 2.7; and,</p> <p>n. an ecosystem approach to protecting the natural heritage system.</p>		
<p>2.1.4 In reviewing development applications, the City will promote sustainability through:</p> <p>a. encouragement of green building design to reduce greenhouse gases by adopting:</p> <ul style="list-style-type: none"> • energy efficient construction; • renewable sources of energy for lighting and heating; • natural lighting; • design that reduces water consumption; • design which minimizes discharge into the sanitary sewers; and • design which reduces or eliminates discharge into the storm sewers through incorporating stormwater management practices including low impact design and stormwater re-use. <p>b. design, landscaping, and streetscaping</p>	<p>Strategic Policy Direction, Focus of Growth – Development Review</p>	<p>As detailed in the Stormwater Management Report, the site has been designed to control post-development run-off to pre-development levels through on-site storage and controlled release. On-site storage is achieved through pipes, manholes, a stormwater infiltration chamber under the surface parking area and surface ponding. Flows will be controlled such that they do not exceed the allowable release rates into the City storm water system.</p> <p>The proposal includes landscaped open space areas including private yards, amenity spaces, planting strips, and landscaped islands. The landscape plans indicate that 56 new trees as well as shrubs, grasses and perennials will be planted across Blocks 1 and 2. This will enhance the streetscapes, moderate the immediate environment, and balance and break up the paved areas.</p> <p>The proposal encourages a multi-modal approach to transportation through the provision of sidewalks and bike parking, and its location along transit routes and within walking distance to a range of commercial and open spaces uses.</p> <p>The property is in proximity to grocery stores and/or restaurants along Midland Avenue and</p>

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<p>practices that promote protection from undesirable sun, wind, or other conditions and reduces the negative effects of urban summer heat;</p> <p>c. design, landscaping, and streetscaping practices that reduce the quantity of impermeable surfaces;</p> <p>d. construction and operational practices that minimize waste and maximize re-use of resources;</p> <p>e. practices that conserve or recycle materials, energy, or other resources;</p> <p>f. design which promotes a reduction of automobile trips, active transportation and transit, including secured public access to bicycle storage and parking;</p> <p>g. the creation of a mix of uses that support increased access to healthy foods;</p> <p>h. h. the use of materials that have been extracted or recovered locally;</p> <p>i. design that reduces municipal costs associated with the provision of infrastructure and</p>		<p>Gardiners Road as well as the Invista Centre.</p> <p>The subject property is within the urban boundary and on full municipal services. Block 1 will be a condominium that will undertake solid waste collection privately. There are no new municipal roads.</p> <p>The zoning by-law amendment and draft plan of subdivision allow for the development of 89 new homes in a location that is desirable for infill and intensification based on the policy direction in the Official Plan.</p>

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<p>municipal service delivery over the long term;</p> <p>j. development that generates sufficient tax revenue to pay for the increased services (e.g., solid waste collection, fire and police services, snow clearing, etc.) that the City has to provide; and,</p> <p>k. development that suits the demographic and/or socio-economic needs of the community.</p>		
<p>2.2.4. The Urban Boundary shown by the dashed line on Schedule 2 has been established to recognize the substantially built up areas of the City where major sewer, water and transportation infrastructure has been planned. The land within the Urban Boundary will be the focus of growth and development in the City and contains sufficient land to accommodate the projected growth for a planning horizon of 2036. The Area Specific Phasing area within the Urban Boundary is subject to site-specific urban growth management policies. The Special Planning Area sites are also within the Urban Boundary and are now committed to a substantial</p>	<p>City Structure - Urban Boundary</p>	<p>The property is within the City's defined urban boundary and is fully serviced. The application will provide 89 new homes within an existing built-up area.</p>

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land use but could accommodate future growth.		
<p>2.2.6 Business Districts are primarily intended to accommodate employment opportunities. These include General Industrial and Business Park Industrial designations, as well as the Waste Management Industrial designation and limited retail and service commercial uses that serve business activities. The Norman Rogers Airport is also recognized as being in a Business District under an Airport designation. Regional Commercial uses and some specialized quasi-commercial uses will be limited to the permitted uses for the specific designations, as described in Section 3. Standards in Business Districts will be sufficiently flexible to allow a ready response to new types of employment uses provided that:</p> <ol style="list-style-type: none"> a. areas of interface with sensitive uses are addressed so that compatible development is achieved and there is no adverse effect on the sensitive use or to the proposed employment use(s); b. an upgraded visual appearance is 	City Structure - Business Districts	<p>The lands are located within a Business District as per Schedule 2 – City Structure. As per Section 2.2.1, these broad structural elements are not land use designations. The more detailed land use designations are shown on Schedule 3.</p> <p>The proposed mix of residential and commercial uses are permitted as per the Arterial Commercial designation as set out in Section 3.</p> <p>The proposal satisfies the standards for Business Districts in that the proposal:</p> <ul style="list-style-type: none"> • was found to be compatible development (see Section 2.7); • provides a varied streetwall with enhanced landscaping along the street edge (see Section 8); • demonstrates that proposal will not result in noise impacts (see Section 2.7.3); • demonstrates that traffic generated by the proposed development will not have a negative impact on local intersection and can be accommodated within the existing infrastructure (3.4.E.6).

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<p>maintained at gateways as defined in Section 8.11, along major roads and the interface with any Centre, Corridor or Housing District shown on Schedule 2;</p> <p>c. uses which may involve noise or odour are sufficiently separated, buffered, or screened in accordance with the Ministry of the Environment and Climate Change Guidelines (D-1 and D-6) or any such further regulation implemented by the City, as applicable;</p> <p>d. uses which generate large amounts of traffic or have intensive on-site operations are located in areas that are able to accommodate, or can be improved to accommodate, such activity levels without adverse effects on the planned transportation system, the nearby Housing Districts, Centres or Corridors; and,</p> <p>e. regional commercial uses, institutions, recreation or hospitality uses will be restricted to limited locations that will not undermine the business park, industrial or</p>		

Policy	Category	Review
<p>technological uses intended as the focus of Business Districts.</p>		
<p>2.3.1. The focus of the City's growth will be within the Urban Boundary, shown on Schedule 2, where adequate urban services exist, or can be more efficiently extended in an orderly and phased manner, as established by this Plan. Kingston's Water Master Plan and Sewer Master Plan will guide the implementation of the infrastructure planning.</p>	<p>Principles of Growth - Growth Focus</p>	<p>The property is within the City's defined urban boundary and is fully serviced. No expansion of water or sewer services are required to support the development.</p>
<p>2.3.2. In 2013, residential density within the City's Urban Boundary was 25.7 units per net hectare. The City intends to increase the overall net residential and non-residential density within the Urban Boundary through compatible and complementary intensification, the development of underutilized properties and brownfield sites, and through the implementation of area specific policy directives tied to Secondary Planning Areas and Specific Policy Areas, as illustrated in Schedule 13.</p>	<p>Principles of Growth - Intensification</p>	<p>The proposal will provide 89 new homes on the vacant portion of the subject lands. This new housing will contribute to the residential density within the urban boundary.</p> <p>This represents a density of 44.3 units per net hectare on the townhouse parcel (Block 1) and 72.5 units per net hectare on the apartment parcel (Block 2).</p>
<p>2.3.11 In order to implement the Strategic Direction of the Kingston Transportation Master Plan, active transportation will be aggressively promoted with greater emphasis on</p>	<p>Principles of Growth - Transportation</p>	<p>The proposal will facilitate active transportation through its proximity to transit stops, new private sidewalks connected to municipal sidewalks, and the site's location within walking distance to public parks and commercial uses.</p>

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pedestrians, cyclists and transit, and accessibility for all residents and visitors.		Residential bike parking will be provided.
2.3.17. The City supports the City of Kingston and County of Frontenac Municipal Housing Strategy (2011) and the City of Kingston 10-Year Municipal Housing and Homelessness Plan (2013) in order to increase affordable housing in the City, and for it to be located primarily within the Urban Boundary in accordance with the directions of the Municipal Housing Strategy Locational Analysis Study (2012).	Principles of Growth - Affordable Housing	The application does not propose affordable units as defined by the Official Plan. The proposal introduces 89 new residential units into a low-vacancy market. The CMHC recently reported that the vacancy rate for the purpose-built rental housing market in the Kingston Census Metropolitan Area (CMA) is at 0.8%.
2.3.18 Through the prevention and removal of barriers for persons with disabilities, and the application of universal design principles, the City supports and promotes opportunities for all people to access the City and make contributions as citizens. The application of universal design principles in development and renovation is promoted. The City also encourages owners of private properties with public access to do the same.	Principles of Growth - Accessibility	The proposed development will be required to incorporate any applicable accessibility requirements of the Ontario Building Code. Accessible parking will be provided in the form of three accessible parking spaces at the apartment and one accessible parking space for visitors of the townhouse block.
2.4.1 - The City supports sustainable development of a compact, efficient, urban area with a mix of land uses and residential unit densities that optimize the	Phasing of Growth - Vision	This compact development proposal is an efficient use of the land as this infill proposal within the urban boundary. It is on land with municipal services and will provide a consolidated tax base. As

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<p>efficient use of land in order to:</p> <ul style="list-style-type: none"> a. reduce infrastructure and public facility costs; b. reduce energy consumption and greenhouse gas emissions; c. support active transportation and viable public transit; d. conserve agriculture and natural resources within the City; and e. reduce reliance on private vehicles. 		<p>presented, it will support the use of active transportation and public transit thus reducing reliance on private vehicles and related greenhouse gas emissions. No natural features will be impacted by this development.</p>
<p>2.4.3. It is the intent of this Plan to achieve an increase in the City’s net urban residential densities through promoting intensification and requiring minimum densities for residential development</p>	<p>Phasing of Growth - Residential Density</p>	<p>The proposal will contribute to an increase the City’s net urban residential density and exceeds the minimum density established by the Plan.</p>
<p>2.4.4.a. New residential development and new secondary plans are subject to the following policies and minimum densities:</p> <ul style="list-style-type: none"> a. for the existing built-up residential areas, a net urban residential density of 22 dwelling units per net hectare is established as the overall minimum density, except where specifically increased in subsections (b), (c), and (d) below; 	<p>Phasing of Growth - Minimum Residential Density</p>	<p>At 44 dwelling units per net hectare on the townhouse parcel (Block 1) and 72.5 units per net hectare on the apartment parcel (Block 2), the proposal satisfies the minimum density requirements for a large scale development.</p>

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<p>b. for large-scale developments and greenfield areas, a minimum of 37.5 residential units per net hectare is established for new residential development in order to be transit supportive;</p>		
<p>2.4.5. The City has established the following minimum targets for intensification to occur within the Urban Boundary.</p> <p>a. It is the intent of the City that 40 percent (%) of new residential development occur through intensification.</p>	<p>Phasing of Growth - Intensification Targets</p>	<p>The proposal represents intensification of underdeveloped lands.</p>
<p>2.4.6. Urban development within the City will proceed in a planned and orderly manner. The Order of Development will be as follows:</p> <p>a. lands located within the Urban Boundary that have servicing capacity currently in place, including infill opportunities, brownfield sites and other vacant or under-utilized properties have the first priority for development;</p>	<p>Phasing of Growth - Order of Development</p>	<p>The proposed residential development is on the vacant portion of the subject lands. The site is within the urban boundary with available servicing capacity and as such should be prioritized for development.</p>
<p>2.5.8 Where intensification is encouraged, increased densities will only be approved when it has been determined by the City that servicing capacity exists or that capacity expansions</p>	<p>Phasing of Municipal Infrastructure and Transportation - Servicing Capacity</p>	<p>A Servicing Report has been prepared by nEngineering Inc. in support of the proposal. It confirms that there is adequate capacity within the existing municipal servicing infrastructure to accommodate the proposed</p>

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are imminent to accommodate additional development.		subdivision and residential build out.
<p>2.5.10. In order to foster sustainability within the City and reduce reliance on the automobile, the City will make efficient use of the existing infrastructure and provide the facilities and services to encourage active transportation and transit as priority modes before providing new road infrastructure in order to satisfy travel demand. While the automobile will continue to be the primary mode of transportation in the City, other, more active forms of transportation will be aggressively promoted to maximize existing road capacity and improve environmental conditions.</p>	Phasing of Municipal Infrastructure and Transportation - Strategic Direction to Promote Active Transportation	A Traffic Impact Study by nEngineering Inc. has been provided in support of the proposal. It demonstrates that this infill development does not require new municipal road infrastructure. The location of the subject property will encourage the use of transit and active transportation. The proposal also includes three car share spaces at the apartment. The property is on existing transit routes and in a walkable location.
<p>2.5.11. The use of transit will be supported and encouraged through the development of mixed-use areas and mixed-use buildings, the development of Corridors and more intense mixed-use Centres, and through the increase of densities within newer areas, compatible uses and infill with complementary uses, and appropriate development of underutilized and brownfield sites.</p>	Phasing of Municipal Infrastructure and Transportation - Transit Priority	The proposal will support transit usage through appropriate development of an underutilized site in a compatible built form, with bus transit stops on both frontages.
<p>2.7.1. Development and/or land use change must demonstrate that the</p>	Land Use Compatibility Principles -	The application demonstrates that the proposed development will be compatible with surrounding

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<p>resultant form, function and use of land are compatible with surrounding land uses.</p>	<p>Compatible Development and Land Use Change</p>	<p>residential, commercial and industrial land uses, in terms of form and function. The built form is compatible with surrounding properties as detailed in this Exhibit, and the subject property can accommodate the townhouses and apartment as detailed below under Section 2.7.6.</p>
<p>2.7.2. The demonstration of compatible development and land use change must consider the potential for adverse effects and matters that have the potential to negatively impact the character, planned function and/or ecological integrity of an area, and the health and safety of humans. Where there exists a potential for negative impacts, a land use compatibility study, focused specifically on the identified land use compatibility matters, will be required.</p>	<p>Land Use Compatibility Principles - Compatible Development and Land Use Change</p>	<p>The proposed development will be compatible with surrounding land uses as detailed under Section 2.7.3.</p> <p>A Planning Justification Report was submitted with the application, which speaks to land use compatibility and the potential for adverse effects in conformity with Section 2.7.2.</p>
<p>2.7.3. The land use compatibility matters to be considered under Section 2.7.2 include, but are not limited to:</p> <ul style="list-style-type: none"> a. shadowing; b. loss of privacy due to intrusive overlook; c. increased levels of light pollution, noise, odour, dust or vibration; d. increased and uncomfortable wind speed; 	<p>Land Use Compatibility Principles - Land Use Compatibility Measures</p>	<p>The proposed lot pattern and low-to mid-rise build out is not expected to result in shadow impacts. Shadows will be largely contained within the subject lands, and those cast on the commercial property to the north fall on existing driveways and parking areas. Shadow impacts will be limited and acceptable for an urban / suburban area of a city.</p> <p>Neither the townhouses nor the apartment building are expected to result in a loss of privacy due to intrusive overlook to adjacent residential uses. The apartment building has been centrally positioned on the existing parcel to</p>

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<p>e. increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the functionality of active transportation or transit;</p> <p>f. environmental damage or degradation;</p> <p>g. diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;</p> <p>h. reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting;</p> <p>i. visual intrusion that disrupts the streetscape or buildings;</p> <p>j. degradation of cultural heritage resources;</p> <p>k. architectural incompatibility in terms of scale, style, massing and colour; or,</p> <p>l. the loss or impairment of significant views of cultural heritage resources and natural</p>		<p>limit both shadowing and overlook potential on neighbouring residential uses. The proposed townhouses are low-rise (3 storeys) in keeping with the maximum building height provisions of the adjacent residential neighbourhood.</p> <p>A lighting plan has been submitted as part of the concurrent Site Plan Control application to demonstrate compliance with the City's Site Plan Control by-law.</p> <p>A Noise and Vibration Impact Study prepared by Actinium Engineering was submitted in support of the proposed development. The report identified noise control measures in the form of mandatory central air conditioning or provision for adding central air conditioning, special dwelling design and sound barriers in order to comply with applicable sound level limits. These are to mitigate the impact of local vehicle traffic noise, stationary noise related to the existing car wash, and rooftop mechanical systems (and similar) at the gas station / carwash, Countrytime Furniture and Robinson Innovations on the comfort of future occupants. The proposed new residential uses are not anticipated to increase levels of light pollution, noise, odour, dust, or vibration.</p> <p>The proposed buildings, at between three and 5 storeys (with a maximum height of 20.8 metres), are not anticipated to affect wind speed in the area.</p> <p>A Traffic Impact Study prepared by nEngineering Inc. was submitted in support of the proposal. It</p>

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<p>features and areas to residents.</p>		<p>concluded that traffic generated by the proposed development can be safely accommodated on the adjacent road network.</p> <p>There are no known cultural heritage or natural heritage features on or adjacent to the subject site.</p> <p>As demonstrated by the submitted feasibility assessments, the proposed development can be supported by existing service levels.</p> <p>The proposed development will not impact the ability of surrounding land uses to continue to function in an enjoyable and safe manner, and serve to provide new residential infill that is compatible with the surrounding area. The scale, height and massing of the zone provisions (with exceptions) serve to provide new built form that provides an appropriate transition between the Midland Avenue and Cataraqui Woods Drives and the adjacent residential and commercial uses.</p>
<p>2.7.4. Mitigation measures may be used to achieve development and land use compatibility. Such measures may include one or more of the following:</p> <ul style="list-style-type: none"> a. ensuring adequate setbacks and minimum yard requirements; b. establishing appropriate transition in building heights, coverage, and massing; 	<p>Land Use Compatibility Principles - Mitigation Measures</p>	<p>As described in Section 2.7.3, the proposal demonstrates compatible new infill. Measures included in the proposal that serve to mitigate possible impacts include:</p> <ul style="list-style-type: none"> • The placement and massing of the built form to provide an appropriate transition from the commercial street to the residential neighbourhood. This includes reduced setbacks which achieve a compact design while still providing for adequate parking. • An efficient townhouse layout that uses rear yards as a separation between the existing

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<p>c. requiring fencing, walls, or berming to create a visual screen;</p> <p>d. designing the building in a way that minimizes adverse effects; maintaining mature vegetation and/or additional new landscaping requirements;</p> <p>e. controlling access locations, driveways, service areas and activity areas; and,</p> <p>f. regulating location, treatment and size of accessory uses and structures, lighting, parking areas, garbage storage facilities and signage.</p> <p>Planning Act tools including zoning by-law standards, site plan control, development agreements and other measures will be used to implement mitigative measures that achieve compatible land use change and development.</p>		<p>residential lots to the west and the new apartment building.</p> <ul style="list-style-type: none"> • The provision of a 1.8 metre tall privacy fence / sound barrier and landscape buffer between townhouse Blocks E and F and the existing car wash, and a planting strip with trees between the gas station and apartment parcels. • The Tree inventory identified five trees within City Lands. Of these, three are recommended for removal while the two remaining trees are to be retained and protected. New trees (56 in total) and enhanced landscaping along the Midland Avenue and Catarauqui Woods Drive and throughout the site as seen on planting strips, townhouse front yards, common element blocks, apartment building grounds and amenity areas, and parking areas. • Providing an interconnected internal road system to limit the number of entry point off municipal street and allow for an efficient use of lands. • Screening with apartment parking areas from the street view with landscaping. • Locating the apartment loading area (including garbage pick up) to the north edge of the property and adjacent to commercial uses.
<p>2.7.6. Only development proposals that meet the long-term needs of the intended users or</p>	<p>Land Use Compatibility Principles - Land Use Compatibility</p>	<p>The proposed zoning performance standards have been prepared to be compatible with the surrounding neighbourhood. As described</p>

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<p>occupants will be supported. Proponents, whether developing individual buildings on a single site, or multiple buildings being built at one time or phased over time, will be required to demonstrate to the satisfaction of the City that the functional needs of the occupants or users will be met by providing:</p> <ul style="list-style-type: none"> a. suitable scale, massing and density in relation to existing built fabric; b. appropriate landscaping that meets or improves the characteristic green space amenity of the site and surroundings and enhances the City's tree planting program; c. adequate land area and appropriate site configuration or provision for land assembly, as required; d. efficient use of municipal services, including transit; e. appropriate infill of vacant or under-utilized land; and, f. clearly defined and safe: site access; pedestrian access to the building and parking spaces; amenity areas; building 	<p>Principles - Functional Needs</p>	<p>through this report, the proposed development will provide buildings of a scale, form and massing that is compatible with the surrounding area.</p> <p>The site will have an appropriate amount of landscaped open space including private yards, amenity spaces, balconies and general landscaped areas around the buildings and adjacent to the streets. It also includes 56 new trees on private lands.</p> <p>The property size is adequate for the proposed use and density; it satisfies the minimum density requirements for existing built-up residential areas as per Section 2.4.4.a.</p> <p>The subject lands are adequate to house the proposed build out and appropriately configured to provide a desirable transition from Midland Avenue to the residential neighbourhood.</p> <p>As noted in this report, this proposal provides for the appropriate infill of this vacant portion of an under-utilized property.</p> <p>The subdivision proposal provides a safe residential layout which includes an efficient road network, sidewalks and parking appropriate for the uses. Each townhouse lot will include an attached garage and driveway to accommodate on-site vehicle. The apartment block provides vehicular and bike parking. While relief related to bike parking for the townhouses, this application was originally submitted under the</p>

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<p>entry; and, parking and secure and appropriate bicycle facilities.</p>		<p>former zoning by-law that did not have bike parking provisions.</p> <p>Building entries are clearly legible and thoughtfully located. The blocks each satisfy the minimum landscaped open space and amenity area requirements of the zoning by-law.</p>
<p>2.8.5. Stormwater runoff will be managed on site where feasible, and runoff may be required to be stored, treated and directed away from the natural heritage system. Its quantity will be required to be controlled to prevent impact on downstream areas. Stormwater connections are not permitted in areas where combined sewer infrastructure exists in the City.</p>	<p>Protection of Resources - Stormwater Management</p>	<p>As detailed in the Stormwater Management Report, the site has been designed to control post-development run-off to pre-development levels through on-site storage and controlled release. Drainage patterns must remain unaltered to ensure the hydrological integrity of Highgate Creek and Little Cataraqui Creek.</p> <p>On-site storage is achieved through pipes, manholes, a stormwater infiltration chamber under the surface parking area and surface ponding. Flows will be controlled such that they do not exceed the allowable release rates into the municipal storm water system. No upgrades to municipal stormwater infrastructure are required to support the development.</p> <p>To improve the quality of water leaving the site, an oil/grit separating device is proposed to be installed. The Stormwater Management Report indicates this unit will provide 82% total suspended solids (TSS) removal.</p>
<p>3.3.B.1 Medium density residential land uses include such building types as townhouses, second residential units, maisonettes, multiple dwelling conversions, walk-</p>	<p>Medium Density Residential - Density</p>	<p>This is a medium density proposal with 44.3 units per net hectare on the townhouse parcel (Block 1) and 72.5 units per net hectare on the apartment parcel (Block 2).</p>

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<p>up or small-scale apartments, and mixed use buildings with commercial on the ground floor. The density range for medium density extends from 37.5 up to 75 units per net hectare, unless an approved secondary plan establishes alternative provisions.</p>		
<p>3.3.B.2 New medium density residential land uses may be approved through rezoning without amendment to this Plan, subject to the following:</p> <ul style="list-style-type: none"> a. site plan control review; b. availability of adequate municipal services; c. provision of amenity areas, which are functional and provide recreational opportunities to the satisfaction of the City. Functional amenity areas are designed to be programmed, versatile, and well integrated; d. adequate on-site parking for vehicles and bicycles for each residential unit and for visitors, either in surface parking areas, individual driveways and garages, or in above or below grade parking structures, as 	<p>Medium Density Residential – Rezoning Requirements</p>	<p>This application will require Final Plan of Subdivision and Site Plan approvals. The applicant has submitted for Site Plan Control concurrent to this application.</p> <p>There are adequate municipal services available to accommodate the proposed development.</p> <p>There is adequate amenity areas provided. At the apartment there are outdoor amenity areas and the townhouse lot have private yards and balconies.</p> <p>At the townhouses each lot has parking for two vehicles, one in the driveway and one in a garage. The townhouses also have four visitor parking spaces, one of which is an accessible space. At the apartment, there is a surfacing parking area with parking spaces, visitor spaces and car-share spaces. Included in the parking are three accessible spaces and three electric vehicle (EV) ready spaces. There is bike parking in the form of 10 short-term and 58 long-term spaces.</p> <p>The proposal was found to be a compatible with the adjacent residential neighbourhood – see Section 2.7.3.</p>

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<p>the City deems appropriate; and,</p> <p>e. protection of adjacent low density residential areas from adverse effects such as overshadowing and excessive traffic.</p>		
<p>3.3.B.3. New medium density residential developments must address the land use compatibility criteria of Section 2.7 and the urban design policies of Section 8 of this Plan.</p>	<p>Medium Density Residential - Locational Criteria</p>	<p>See Sections 2.7 and 8.</p>
<p>3.3.B.4 In order to assess new medium density residential projects, the applicant must provide an analysis through a planning justification report. The analysis must address the location of the project. Generally, medium density residential projects will be located:</p> <ul style="list-style-type: none"> a. on a site that is appropriate given the context of surrounding land uses; b. adjacent to, or within walking distance of, commercial areas; c. in an area that has access to public transit; and, d. within walking distance of parkland, open space or community facilities. 	<p>Medium Density Residential - Locational Criteria</p>	<p>The proposal generally satisfies the medium density locational criteria that apply to the proposed infill development.</p> <p>The proposed townhouses are appropriate given the surrounding neighbourhood context which includes the Cataraqui West residential neighbourhood directly west of the subject lands. Cataraqui West is made up of low-density (single and semi-detached) homes. The proposed medium density residential uses will provide an appropriate transition from the residential neighbourhood to the commercial uses along Midland Avenue, including the existing gas station and carwash on the subject site.</p> <p>This location is in walking distance and proximate to a variety of commercial uses to the south along Midland Avenue and to the east along Gardiners Road.</p>

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		<p>The subject lands are located approximately 250 metres from Cataraqui Woods Elementary School and 350 metres from Cataraqui Woods Park. The Invista Centre is also close by.</p> <p>There are two transit stops adjacent to the subject site: one servicing Kingston Transit route 19 is located along the north side of Midland Avenue, and a second servicing Kingston Transit route 15 is located on east side of Midland Avenue. In addition, there are two transit stops on Kingston Transit routes 7 and 19 are located less than 100 metres south of the site along Midland Avenue. The site is also close to Transit Route 14 along Gardiners Road and the Cataraqui Centre Bus transfer.</p>
<p>3.3.8 Within the Urban Boundary, intensification through moderate increases in building height or density may be considered at the edge of neighbourhoods, provided that the development is adjacent to one or more of the following: transit routes, community facilities, areas of open space, or mixed use Centres or Corridors, as identified on Schedule 2.</p>	<p>Intensification</p>	<p>The proposed height building height and density on the subject lands are moderate and appropriate given it location at the east edge of the Cataraqui West neighbourhood, along an existing transit route and walking distance to parks and community facilities.</p> <p>The increased density is supportable given that the site is adjacent to transit lines along Cataraqui Woods Drive and Midland Avenue, and proximate to Cataraqui Woods Park and community facilities such as the Invista Centre.</p>
<p>3.3.10. The City's affordable housing initiatives are designed to support development of housing that is affordable for low and moderate</p>	<p>Affordable Housing</p>	<p>The proposed development does not explicitly include affordable housing, it does add 89 new homes to the City's housing stock.</p>

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<p>income households and to help households transition out of core housing need. Affordable initiatives are designed to provide a full range of housing in terms of tenure, affordability, accessibility, and locations in different urban residential neighbourhoods, to increase choice for low and moderate income households. Such initiatives include:</p> <ul style="list-style-type: none"> a. encouraging intensification and a mix of densities in new communities as a way to promote affordability; and, b. promoting the use of second residential units as affordable housing. 		
<p>3.4.E.1 Permitted uses in the Arterial Commercial designation include a range of services that cater to the travelling public, uses that require large sites, or which require outdoor display such as vehicle sales lots or vehicle rental premises, hospitality uses, and automotive uses such as gas bars and service stations. Large floor-plate retail uses intended for a Regional Commercial designation are not included. Outdoor patio restaurants may be permitted in accordance with the policies of Section 3.4.G. Limited convenience</p>	<p>Arterial Commercial – Permitted Uses</p>	<p>The existing commercial portion of the property is to be zoned General Commercial (CG) under Kingston Zoning By-Law 2022-62. The permitted uses of this zone align with this land use.</p>

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<p>commercial goods and services may also be permitted with the size and type of use regulated in the zoning by-law. Office uses are permitted as an accessory use only.</p>		
<p>3.4.E.4 Residential development of outmoded or under-utilized arterial commercial sites for medium or high density residential use may be permitted without amendment to this Plan, provided that the City is satisfied that the site is adjacent to a Residential designated area, has adequate residential amenity in terms of open space, access, protection from noise or other impacts, and that the site can be provided with active transportation linkages to the adjacent Residential designated area. New development will be subject to a rezoning and site plan control review in order to assess appropriate heights, setbacks, density, access and linkages, and to ensure that a public consultation process is undertaken. Such proposals must comply with the density policies of Section 2.4, compatibility criteria of Section 2.7 and urban design policies of Section 8 of this Plan. New medium and high density residential</p>	<p>Arterial Commercial – Residential Development</p>	<p>The residential development included in this proposal were found to satisfy the criteria set out in this provision.</p> <p>The site is adjacent to a residential designated area. Residential amenity space has been provided in the form of outdoor amenity areas at the apartment and private yards and balconies at the townhouse lots. Vehicular and pedestrian access is provided off of Midland Avenue and Catarqui Wood Drive that will be facilitated through reciprocal easements across all three parcels. Noise impacts will be mitigated as set out in the Noise Impact Study. The adjacent residential lot pattern does not provide the opportunity for internal active transportation linkages.</p> <p>The new development is subject to Zoning By-Law Amendment, Draft Plan of Subdivision, Final Plan of Subdivision, Site Plan Control, Final Plan of Condominium and Part Lot Control.</p> <p>See the noted Sections 2.4, 2.7, 3.3.B.4 and 8 of this table for more information on compliance.</p>

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developments must address the locational criteria of Sections 3.3.B.4 and 3.3.C.3 of this Plan, respectively.		
4.1.1. New development will proceed only if the City is satisfied that adequate services, roads, and utilities are available, or can be made available, to serve the proposal adequately. In determining the adequacy of servicing, utility systems, or the transportation system, the City will consider not only the proposal, but also the potential for development that exists in the same service area.	Infrastructure and Transportation - New Development	Studies regarding the feasible capacity of existing municipal systems were conducted as part of the submission and any concerns were identified by technical departments have been resolved.
4.3.1. Stormwater management techniques must be used in the design and construction of all new development to control both the quantity and quality of stormwater runoff. The degree of control will depend on the conditions in the downstream receiving water bodies. This is to minimize the negative impacts of development on the downstream receiving water bodies, the aquatic environment, and fish habitat.	Stormwater Management - Purpose	As per Section 2.8.5, stormwater runoff will be managed on site through a number of interventions including an underground chamber system. This approach will introduce stormwater controls to address quality and quantity, as described in the submitted report. Final details related to stormwater management will be secured through the Final Plan of Subdivision and Site Plan Control approvals.
4.3.4. For urban infill development projects, the City will require the preparation of a stormwater management report to address the impacts of	Stormwater Management - Quality and Quantity of Water	See Section 2.8.5. The detailed design of stormwater management system will be provided at the final plan of

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<p>additional lot coverage or new uses of the site on the quality and quantity of water. Proponents must endeavour to improve the management of stormwater from the existing development areas.</p>		<p>subdivision and Site Plan Control stage.</p>
<p>4.6.3. The reconstruction of existing roads and the construction of new roads within settlement areas are to include safe, convenient and accessible pedestrian facilities, such as sidewalks, corner ramps, pedestrian signals and crosswalks of universal design. The enhancement of roadways, sidewalks, sidewalk safety barriers, and transit facilities to maximize mobility and access for all will be required in all construction and reconstruction projects.</p>	<p>Transportation - Pedestrian Facilities</p>	<p>Changes within the right of way such as those related to new access points will also be constructed to municipal standards.</p>
<p>4.6.4. On new roads and on reconstructed roads, sidewalks are to be provided where feasible on both sides of urban arterial and collector roads running adjacent to developed lands and on local streets near schools, bus stops, and land uses that are major pedestrian trip generators. On new or reconstructed local roads, sidewalks must be installed on at least one side of the road. Sidewalk safety barriers on structures such</p>	<p>Transportation - Sidewalks Required</p>	<p>As part of this development, new sidewalks will be constructed on one side of the private streets and driveways to facilitate pedestrian movement.</p>

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as bridges are recommended.		
4.6.5. Sidewalks and active transportation pathways must be designed to provide direct access from the interior of neighbourhoods to transit locations, and to connect commercial properties in order to encourage active transportation.	Transportation - Improved Connections	The new sidewalk facilitate pedestrian access from all new homes to the surrounding municipal roads and the adjacent and nearby transit stops and commercial uses.
5.21. The City of Kingston recognizes the importance of noise management. Any proposed development that has a sensitive use within the potential influence area as described in the Province’s D-6 Guideline or between the 25 to 30 NEF contours requires a detailed noise study to the satisfaction of the City. The study must be conducted by a qualified person in accordance with Ministry of the Environment and Climate Change guidelines or any such further guidance or requirement implemented by the City, as applicable, address all sources of noise affecting the site, and include recommendations for mitigation to meet the applicable noise criteria.	Protection of Health and Safety – Noise Study	As noted in Section 2.7.3 a Noise and Vibration Impact Study prepared by Actinium Engineering was submitted in support of the proposed development. The report identified noise control measures in the form of mandatory central air conditioning or provision for adding central air conditioning, special dwelling design and sound barriers in order to comply with applicable sound level limits. These are to mitigate the impact of local vehicle traffic noise, stationary noise related to the existing car wash, and rooftop mechanical systems (and similar) at the gas station / carwash, Countrytime Furniture and Robinson Innovations on the comfort of future occupants. The proposed new residential uses are not anticipated to increase levels of light pollution, noise, odour, dust, or vibration.
8.2 The Design Guidelines for New Communities establish the following guiding principles that should be used to ensure the development of	Urban Design - Guiding Principles for Development of New Communities	The proposed development will provide a compatible addition to the surrounding area and result in an appropriate transition from commercial based Midland Avenue

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<p>successful communities:</p> <ul style="list-style-type: none"> a. foster attractive communities and a sense of place; b. create compact, accessible, mixed-use communities; c. provide a variety of housing types; d. provide access and visibility to open spaces; e. encourage environmentally sustainable development; f. create a street network for active transportation and transit; g. integrate and highlight cultural heritage resources; and, h. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality. 		<p>to the low-rise residential Cataraqui West neighbourhood.</p> <p>The subdivision will be divided into three primary components: the existing gas station and car wash at the corner of Midland Avenue and Cataraqui Wood Drive; the 5-storey apartment building along Midland Avenue; and the 31 townhouses adjacent to the residential neighbourhood. The result is a varied and compact mixed-use community that is an efficient use of lands.</p> <p>The proposal includes a mixed housing types including 3-storey townhouses and an apartment with one-, two- and three-bedroom units.</p> <p>Knit throughout the development are open spaces in the form of outdoor amenity areas, private yards and planting strips / landscape buffers.</p> <p>The proposed development allows for fluid pedestrian and vehicular movement through the site as well as regular connections to the existing road network.</p>
<p>8.3. The Design Guidelines for Residential Lots establish the following guiding principles that should be used to ensure new residential development is integrated into the existing built fabric, and is conducive to active transportation:</p> <ul style="list-style-type: none"> a. protect and preserve stable residential 	<p>Urban Design - Guiding Principles for Development of Residential Lots</p>	<p>See Sections 2.6, 2.7.6 and 8.2.</p>

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<p>communities (in accordance with Section 2.6 of this Plan);</p> <ul style="list-style-type: none"> b. foster developments that are context appropriate; c. foster attractive developments which add to the existing sense of place; d. provide a variety of housing types; e. ensure compact, accessible mixed-use development; f. encourage environmentally sustainable development; and, g. integrate and highlight cultural heritage resources. 		
<p>8.4. Through the review of development proposals, construction of public works, or the preparation and approval of area plans, the City will promote the provision of barrier-free access and safety by:</p> <ul style="list-style-type: none"> a. providing for age-friendly needs and the requirements of people with disabilities, and others requiring access supports through improved amenities such as parking, benches, and washrooms, clear 	<p>Urban Design - Accessibility and Safety</p>	<p>The proposed development will result in a mixed-used medium-density subdivision containing built forms compatible with the surrounding area. The proposed development will complement and preserve the stability of surrounding communities.</p> <p>The application complies with accessibility requirements including the provision of barrier-free paths of travel with benches, accessible parking, signage, accessible dwelling units within the apartment and similar.</p> <p>The site plan presents a legible and logical layout with:</p>

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<p>signage, visual or auditory indicators, and other means as appropriate;</p> <p>b. improving public security through enhanced lighting, visibility of public areas, provision of entrance locations in well-traveled areas, and ease of access for emergency personnel or vehicles;</p> <p>c. clearly defining building entrances and avoiding designs that would create areas that are hidden from public view and thus potentially available for criminal activity;</p> <p>d. arranging public uses and amenities within a convenient walking distance;</p> <p>e. providing adequate walkway widths, visually permeable materials and structures, and landscaping elements that do not obstruct sightlines in the design of streetscapes, transportation facilities, or public buildings and places; and,</p> <p>f. promoting safe environments by applying Crime Prevention Through Environmental Design</p>		<ul style="list-style-type: none"> • lighting, clearly identifiable points of entry to the site and building entrances and emergency access routes; • comprehensive and linked pedestrian and vehicular circulation within the site and into the surrounding area; • amenity areas adjacent to the townhouses and apartment building; • open sight lines; • accessible parking located near building entrances; • integrated walkways and landscaping. <p>The build out will be subject to final plan of subdivision and site plan control where details related to accessibility and safety will be reviewed at a more detailed level.</p>

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<p>(CPTED) concepts and principles in the design of buildings, site layout and landscaping of development sites.</p>		
<p>8.5. Through the review of development proposals, construction of public works, or the preparation and approval of area plans, the City shall maintain or enhance the character of valued streetscapes, community areas, and landscapes by:</p> <ul style="list-style-type: none"> a. preserving human scale in locations that are pedestrian-oriented and establishing an appropriate street wall height by controlling building heights through an implementing zoning by-law, requiring building step-backs, having entrances at street level, providing street furniture, and other means as appropriate; b. providing shade through natural or built means to provide comfortable outdoor environments and provide protection from ultraviolet radiation; c. protecting views to the water, City Hall and other significant buildings or landscapes; 	<p>Urban Design – Streetscapes and Public Spaces</p>	<p>This proposal allows for the mature buildout of these vacant street frontages with buildings over an appropriate scale and enhanced with new landscaping.</p> <p>The new streetwalls along Cataraqui Woods Drive and Midland Avenue provide compatible transition from the existing gas station and car wash to the established residential neighbourhood and commercial uses. This is seen in: the new pedestrian and vehicular network; landscaping, amenity areas and open spaces; separation distances and buffers; building placement and massing; and integrated street furniture, lighting, utilities and parking.</p>

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<p>d. siting new buildings and structures in a manner that repeats and complements the siting and spacing of existing buildings, structures or landscaped areas in order to continue a pattern that is characteristic of surrounding neighbourhoods and heritage areas;</p> <p>e. the strategic use of building separation, landscaping and buffers to mitigate inharmonious elements of the built or natural environment, such as railways, service areas, or incompatible uses;</p> <p>f. designing public spaces or requiring the design of common spaces in private projects to have a clear sense of definition, and provide sufficient amenity, accessibility and security to encourage public use and linkage to other public areas;</p> <p>g. preserving and enhancing the context of special buildings, streetscapes, landscapes and sites that have been identified as having architectural, or cultural</p>		

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<p>heritage value or interest; and,</p> <p>h. encouraging innovative methods to minimize the visual impact of utility features, either by containing utility features within streetscape elements or by screening them from view.</p>		
<p>8.6. The City requires the design of new development to be visually compatible with surrounding neighbourhoods and areas of cultural heritage value or interest through its site plan control review, preparation of zoning standards, and urban design guidelines, as appropriate, that address the following:</p> <p>a. siting, scale and design of new development in relation to the characteristics of the surrounding neighbourhood or the significant cultural heritage resources including, scale, massing, setbacks, access, landscaped treatment, building materials, exterior design elements or features;</p> <p>b. protecting natural heritage features and areas and cultural heritage landscapes through the siting,</p>	<p>Urban Design - New Development</p>	<p>The proposed development provides for a compatible new mixed-use development within the surrounding area. See Sections 2.6 and 2.7.3.</p>

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<p>design and review of new development;</p> <p>c. promoting innovation in building design to create an interesting and varied built environment, to increase sustainability by improving energy efficiency, and to deliver barrier-free accessibility;</p> <p>d. achieving compatibility in land use and with a predominant architectural style, street pattern or site arrangement where that style or arrangement forms a valuable component of the existing neighbourhood or the cultural heritage value or interest of the identified area. Section 2.7 provides additional policy in this regard; and,</p> <p>e. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.</p>		
<p>9.5.9. When considering an application to amend the zoning by-law, the Planning Committee and Council will have regard to such matters as:</p>	<p>Zoning By-Law Amendments, Planning Committee/Council Considerations</p>	<p>The proposal conforms to applicable sections of the Plan as described through this table. No official plan amendment is required.</p> <p>The proposal represents a compatible intensification of the subject lands along Midland</p>

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<ul style="list-style-type: none"> a. conformity of the proposal with the intent of the Official Plan policies and schedules; b. compatibility of the proposal with existing uses and zones, sensitive uses, the natural heritage system, cultural heritage resources, and compatibility with future planned uses in accordance with this Plan; c. compatibility of proposed buildings or structures with existing buildings and structures, with zoning standards of adjacent sites, with any future planned standards as provided in this Plan, and with any urban design guidelines adopted by the City for the area; d. the extent to which the proposal is warranted in this location and the extent to which areas zoned for the proposed use are available for development; e. the suitability of the site for the proposal, including its ability to meet all required standards of loading, parking, open space or amenity areas; 		<p>Avenue, as reviewed through Section 2.7. The recommended zoning by-law implements the density and use provides for the future build out of the subdivision.</p>

Policy	Category	Review
<ul style="list-style-type: none"> f. the suitability of the density relative to the neighbourhood and/or district, in terms of units per hectare, bedrooms per hectare, floor space index, and/or employees per hectare, as applicable; g. the impact on municipal infrastructure, services and traffic; h. comments and submissions of staff, agencies and the public; and, i. the degree to which the proposal creates a precedent. 		
<p>9.6.4 Plans of subdivision must conform to the policies of this Plan, and to the Provincial Policy Statement, as amended, and other requirements of senior levels of government. Council must be satisfied that:</p> <ul style="list-style-type: none"> a. the proposed subdivision can be adequately supplied with municipal infrastructure and services in an economic manner if located within the Urban Boundary, or if located outside any settlement areas, the proposal is adequately supplied with individual on-site water and 	<p>Land Division - Applicable Policies</p>	<p>The subject lands are located within the Urban Boundary and the proposed development will be serviced by existing municipal servicing infrastructure.</p> <p>The proposed subdivision has been designed to integrate with the adjacent roads and the immediate transit network. The subdivision seeks to provide a compatible transition between the commercial activity along Midland Avenue and the Cataraqui West neighbourhood.</p> <p>The proposed development is not anticipated to have any negative impacts on the environment.</p> <p>The proposed subdivision seeks to intensify and redevelop an existing underutilized parcel of land within the City. The proposal will result in</p>

Policy	Category	Review
<p>sewage services;</p> <p>b. the proposed subdivision has been designed to integrate compatibly with transit and the broader transportation system, adjacent existing and planned land uses, and both the natural heritage system, and cultural heritage resources;</p> <p>c. the plan of subdivision has been designed so there are no negative impacts on the natural heritage features or areas and designed to avoid natural and human-made hazards;</p> <p>d. the proposed development addresses issues of energy conservation and sustainability;</p> <p>e. the proposed subdivision is necessary, timely and in the public interest; and,</p> <p>f. the design of the proposed plan of subdivision meets accepted design principles and standards of the City, and has had adequate regard for any urban design guidelines, land acquisition programs, or other policy initiatives that</p>		<p>the improved use of existing infrastructure and land.</p> <p>The proposal will make efficient use of this vacant site within the City's urban boundary.</p> <p>As demonstrated above, the proposal has regard for and complies with the urban design polices in sections 8.2 through 8.6.</p>

Policy	Category	Review
are relevant to the area.		
<p>9.6.20. When reviewing a plan of condominium, the City will have regard for the polices of section 9.6 above, as well as the following:</p> <ul style="list-style-type: none"> a. the plan of condominium, the proposed units, and common elements are appropriate for the intended purpose, an meet all requirements of the zoning bylaw, Ontario Building Code and Property Standards By-law; b. the plan of condominium meets the requirements of the site plan control by-law; and, c. the plan of condominium meets the requirements of the parkland conveyance by-law. 	Land Division – Plans of Condominium	These will be addressed through the future Final Plan of Condominium application and are noted here for information.

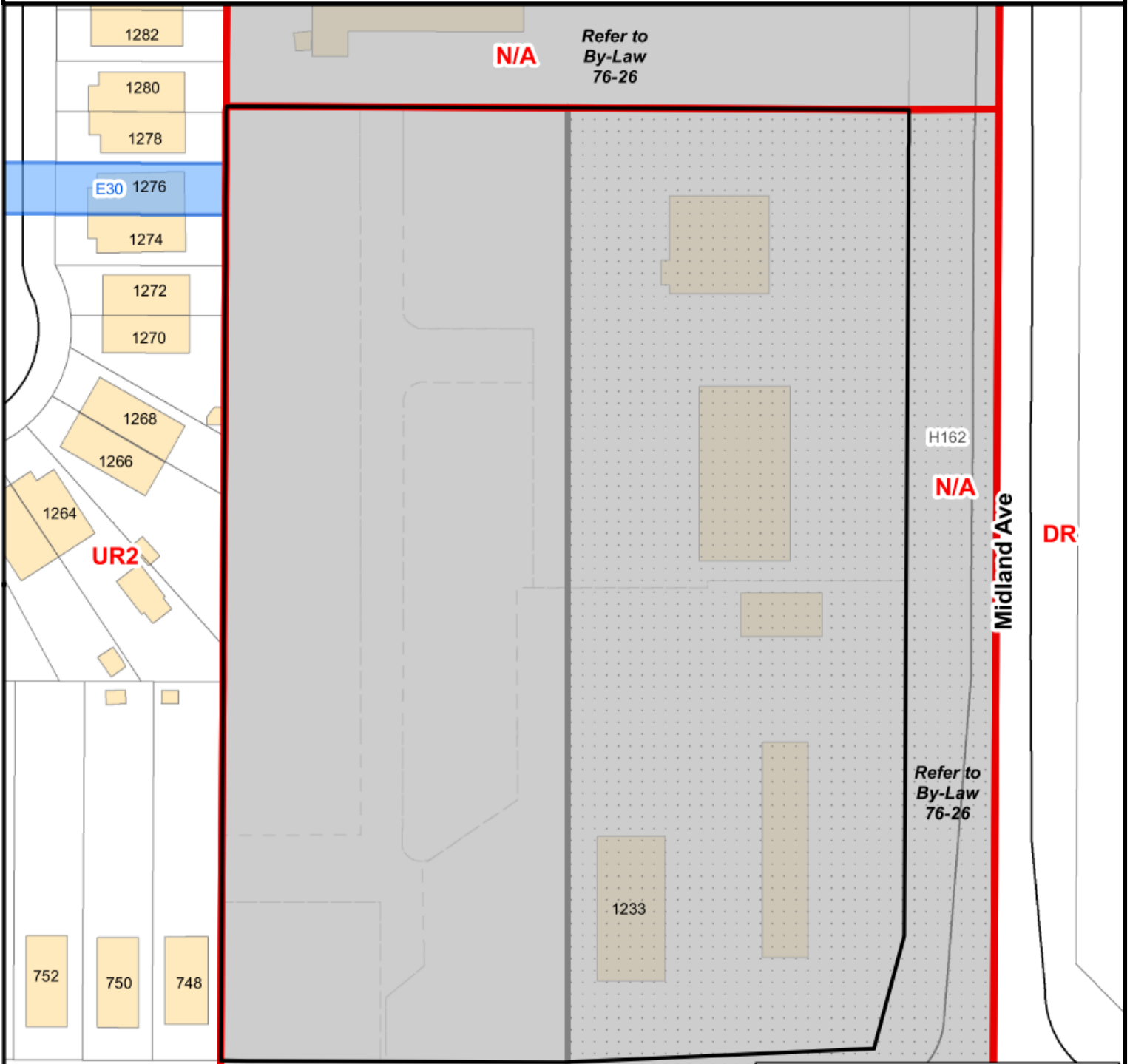


Planning Committee Existing Zoning Kingston Zoning By-Law 2022-62

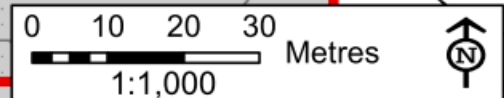
Planning Services

Address: 1233 Midland Ave
File Number: D35-005-2021
Prepared On: Sep-25-2024

- 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)

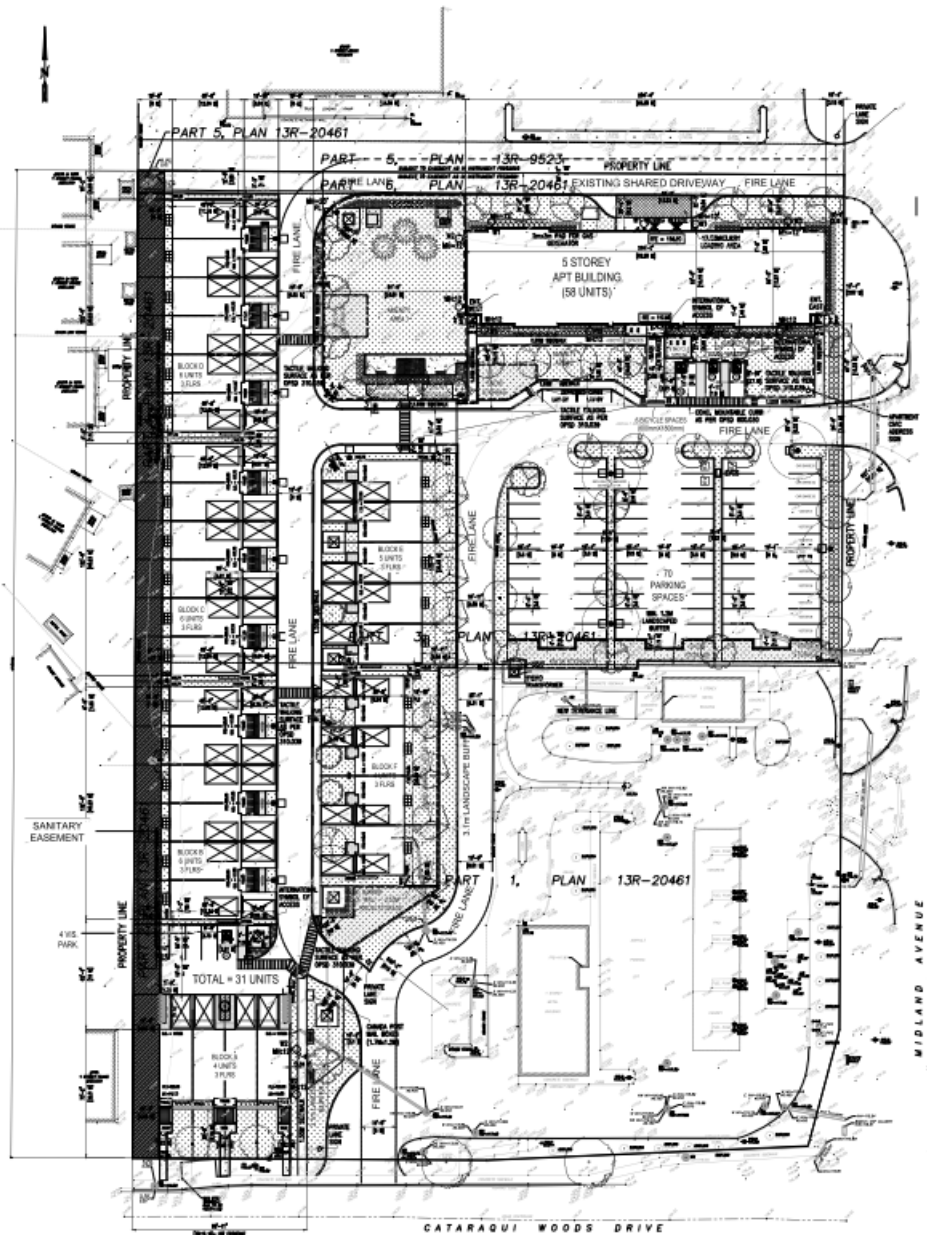


Refer to By-Law 76-26



Prepared By: ncameron
Prepared On: Sep-25-2024

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ZONING INFO - CATAWAQUI WOODS/MIDLAND AVE - KINGSTON

ZONE	PERMITTED USES	TOTAL
RESIDENTIAL	RESIDENTIAL (RES-4)	100% PERMITTED
OFFICE	OFFICE (OFF-1)	100% PERMITTED
RETAIL	RETAIL (RETAIL-1)	100% PERMITTED
INDUSTRIAL	INDUSTRIAL (IND-1)	100% PERMITTED
COMMERCIAL	COMMERCIAL (COM-1)	100% PERMITTED
MIXED USE	MIXED USE (MU-1)	100% PERMITTED

APARTMENT BUILDING - ZONING & AREA STATS

ZONE	PERMITTED USES	TOTAL
RESIDENTIAL	RESIDENTIAL (RES-4)	100% PERMITTED
OFFICE	OFFICE (OFF-1)	100% PERMITTED
RETAIL	RETAIL (RETAIL-1)	100% PERMITTED
INDUSTRIAL	INDUSTRIAL (IND-1)	100% PERMITTED
COMMERCIAL	COMMERCIAL (COM-1)	100% PERMITTED
MIXED USE	MIXED USE (MU-1)	100% PERMITTED

APARTMENT BUILDING - ZONING & AREA STATS (CONTINUED)

ZONE	PERMITTED USES	TOTAL
RESIDENTIAL	RESIDENTIAL (RES-4)	100% PERMITTED
OFFICE	OFFICE (OFF-1)	100% PERMITTED
RETAIL	RETAIL (RETAIL-1)	100% PERMITTED
INDUSTRIAL	INDUSTRIAL (IND-1)	100% PERMITTED
COMMERCIAL	COMMERCIAL (COM-1)	100% PERMITTED
MIXED USE	MIXED USE (MU-1)	100% PERMITTED

BUILDERS SHALL VERIFY ALL DIMENSIONS AND ALL JOB SITE CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT. ONLY THE LATEST APPROVED DRAWINGS ARE TO BE USED FOR CONSTRUCTION.

IT IS THE BUILDERS DUTY TO ENSURE THAT THEY HAVE THE LATEST APPROVED DRAWINGS IN HAND.

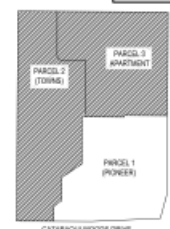
PROJECT NORTH

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NO. DATE DESCRIPTION

NO.	DATE	DESCRIPTION
55	JUNE 27/24	REVISED/ISSUED SITE PLAN
56	MAR 20/24	ISSUED SITE PLAN FOR SPA (REV)
54	FEB 12/23	ISSUED SITE PLAN FOR REVIEW
53	NOV 20/23	ISSUED SITE PLAN FOR SPA
52	NOV 17/23	ISSUED SITE PLAN FOR SPA
51	NOV 02/23	REVISED/ISSUED SITE PLAN
50	OCT 30/23	ISSUED SECONDARY SITE PLAN TO PLANNER
49	OCT 13/23	REVISED SITE PLAN
48	SEPT 27/23	REVISED SITE PLAN
47	SEPT 12/23	REVISED SITE PLAN
46	AUG 30/23	REVISED SITE PLAN
45	AUG 15/23	SITE PLAN AND BLOCK A REVISED ISSUED FOR REVIEW
44	MAY 18/23	DATE AND BEST COPY OF RECORDS/UPDATED
43	MAY 08/23	SITE PLAN STATUS UPDATED
42	MAY 03/23	LINKED TO BEST COPY OF RECORDS
41	DATE	DESCRIPTION



CATAWAQUI WOODS/MIDLAND AVE - KINGSTON
PHASE DIAGRAM

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OFFICE: (416) 461-8228
FAX: (416) 461-8204
EMAIL: phig@peterhiggins.ca

PROJECT: CATAWAQUI WOODS/MIDLAND AVE - KINGSTON, ONTARIO

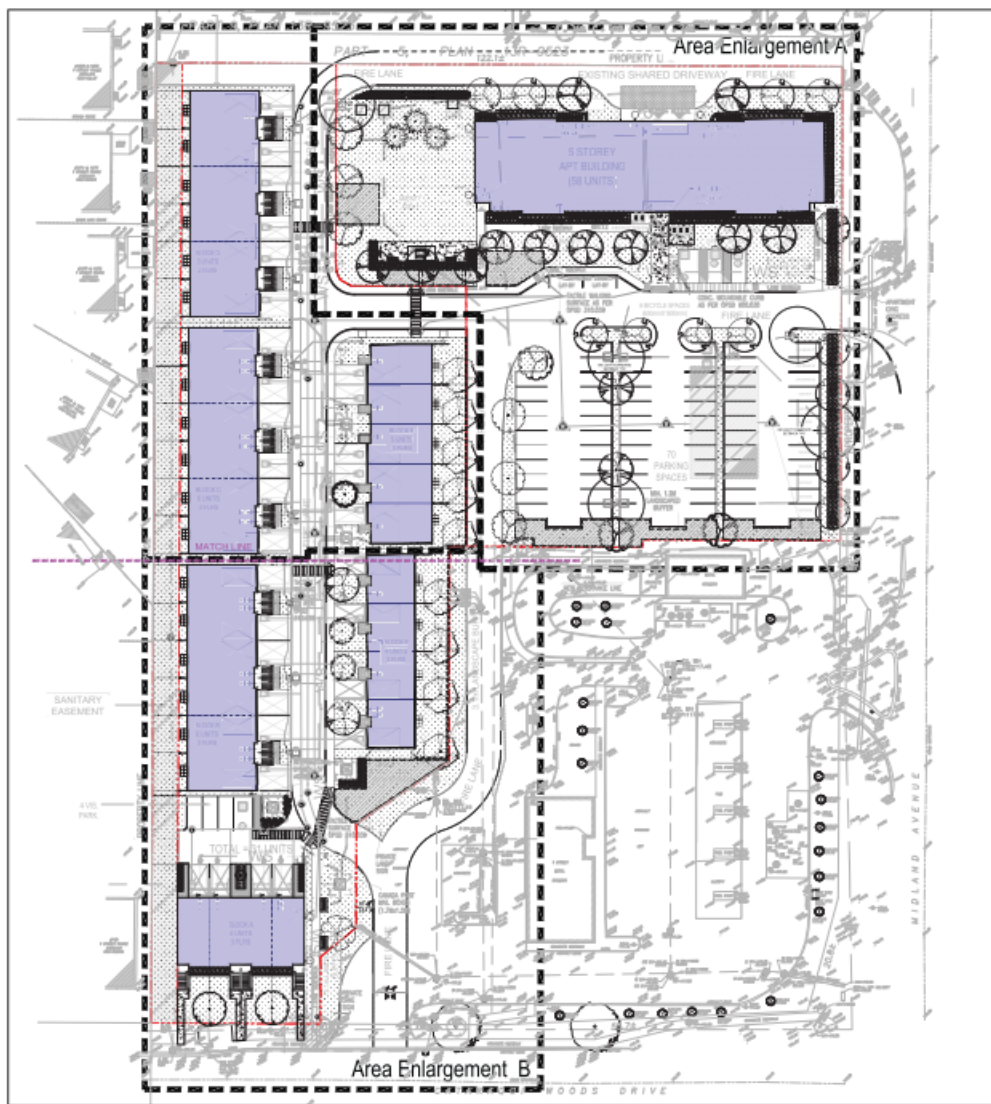
PROJECT TYPE: PRELIMINARY SITE PLAN

DRAWN BY: LAM, S.A. DATE: FEB 2024

CHECKED BY: R.K.

SCALE: 1:400

PROJECT NO: 18-038 DRAWING TITLE: PRELIMINARY SITE PLAN DRAWING NO: A-1



Legend

- Existing Deciduous Tree Canopy
- Proposed Deciduous Tree
- Proposed Coniferous Tree
- Prop. Staked Area Typ
- Prop. Concrete Paving Typ
- Prop. List Paving Type 1
- Prop. List Paving Type 2
- Snow Storage
- Detail Reference Key
- Tree Protection Fencing
- Prop. 1.8m HT Wood Privacy Screen Typ
- Proposed Cub Typ
- Proposed Seawall
- Property Line
- Proposed Blue Ring
- Plant Material Reference Key



msla
MARTON SMITH LANDSCAPE ARCHITECTS
170 The Denway W Suite 208
Toronto, Ontario, Canada M6E 2G3
Tel: 416-463-2898 | email: info@msla.ca

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Tel: 416-927-3333
www.peterhiggins.com

Client/Owner

Municipality:

Notes:

- 14 Issued for Re-Submission 091713A
- 15 Re-issued for 5th Submission 091524A
- 16 Issued for 5th Submission 090724A
- 17 Re-issued for 4th Submission 110025
- 18 Issued for 5th Submission 110120
- 19 Issued for 3rd Submission 102222
- 20 Issued for 3rd Submission 102222
- 21 Issued for 3rd Submission 102222
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- 100 Issued for 3rd Submission 102222

Plant Material List

Code	Species/Plant	Common Name	Height	Spread	Light	Water	Soil	Notes
01	Red Maple	Acer rubrum	20 m	10 m	Full Sun	Moist	Rich	Native
02	White Birch	Betula papyrifera	15 m	8 m	Full Sun	Moist	Rich	Native
03	Black Birch	Betula nigra	15 m	8 m	Full Sun	Moist	Rich	Native
04	Yellow Birch	Betula alleghaniensis	15 m	8 m	Full Sun	Moist	Rich	Native
05	Red Spruce	Picea canadensis	15 m	8 m	Full Sun	Moist	Rich	Native
06	White Pine	Pinus strobus	15 m	8 m	Full Sun	Moist	Rich	Native
07	Black Pine	Pinus nigra	15 m	8 m	Full Sun	Moist	Rich	Native
08	White Pine	Pinus strobus	15 m	8 m	Full Sun	Moist	Rich	Native
09	Black Pine	Pinus nigra	15 m	8 m	Full Sun	Moist	Rich	Native
10	White Pine	Pinus strobus	15 m	8 m	Full Sun	Moist	Rich	Native
11	Black Pine	Pinus nigra	15 m	8 m	Full Sun	Moist	Rich	Native
12	White Pine	Pinus strobus	15 m	8 m	Full Sun	Moist	Rich	Native
13	Black Pine	Pinus nigra	15 m	8 m	Full Sun	Moist	Rich	Native
14	White Pine	Pinus strobus	15 m	8 m	Full Sun	Moist	Rich	Native
15	Black Pine	Pinus nigra	15 m	8 m	Full Sun	Moist	Rich	Native
16	White Pine	Pinus strobus	15 m	8 m	Full Sun	Moist	Rich	Native
17	Black Pine	Pinus nigra	15 m	8 m	Full Sun	Moist	Rich	Native
18	White Pine	Pinus strobus	15 m	8 m	Full Sun	Moist	Rich	Native
19	Black Pine	Pinus nigra	15 m	8 m	Full Sun	Moist	Rich	Native
20	White Pine	Pinus strobus	15 m	8 m	Full Sun	Moist	Rich	Native

North Easting

Project: **Proposed Residential Blocks and Landscape Upgrades**
1223 Midland Avenue
Kingston, On

Scale: 1:300 Date: March 2024
Drawn By: C.F. Checked By: L.M.

Drawing Title: **Landscape Master Plan**

Project No: 21110 Sheet No: L1-01



**BLOCK A - FRONT ELEVATION
@ CATARAQUI WOODS DRIVE**

REVISIONS / ISSUE DATES		BUILDER SHALL VERIFY ALL DIMENSIONS AND ALL JOB SITE CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT.	These architectural drawings are the property of Peter Higgins Architect Inc., 124 Merton Street, Suite 204, Toronto, Ontario.
NO.	DATE		
5	FEB. 16, 2021	SUBMIT ELEVATIONS FOR CLIENT REVIEW	<p>In consideration for full payment of the architectural services rendered, the use of these drawings and any supporting attachments granted to the client/agency responsible for the construction of the aforementioned titled project, as designed, depicted and detailed on these drawings.</p> <p>It is the BUILDER'S DUTY TO ENSURE THAT THEY HAVE THE LATEST APPROVED DRAWINGS IN HAND.</p> <p>These architectural drawings shall not be reproduced or used for any other purpose at any other address by any other person, firm or corporation without the written consent of Peter Higgins Architect Inc.</p>
6	MAR. 1, 2021	SUBMIT BLOCK A FFL ELEVATION FOR CLIENT REVIEW	
7	APR. 21, 2021	SUBMIT TO ARCHITECTURAL CONSULTANT	
8	JUL. 07, 2021	REVISED FOR SPA (RND SUBMISSION)	
9	MAR. 23, 2022	BLOCK A ELEVATIONS UPDATED	
10	AUG. 03, 2022	BLOCK A ELEVATIONS FOR REVIEW	
11	MAR. 25, 24	REVISED BLOCK A B.C. 3 FOR SPA (RND SUBMISSION)	
<p>ONLY THE LATEST APPROVED DRAWINGS ARE TO BE USED FOR CONSTRUCTION.</p>			
<p>IF IT IS THE BUILDER'S DUTY TO ENSURE THAT THEY HAVE THE LATEST APPROVED DRAWINGS IN HAND.</p>			
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PETER HIGGINS ARCHITECT INC.
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FAX: (416) 481-8064
EMAIL: ph@peterhiggins.com

ONTARIO ASSOCIATION OF ARCHITECTS
REGISTERED ARCHITECT
SINCE 1906
4398

PROJECT:
PROPOSED TOWN HOMES
**CATARAQUI WOODS/
MIDLAND**
KINGSTON, ONTARIO

DRAWN BY: L.B.M./S.A.	DATE: MAR 2018
CHECKED BY: P.H.	BCIN: 4308 3486
SCALE: 1:125	FRONT (SOUTH) ELEVATION
PROJECT NO: 16-035	

DRAWING NO:
A 6.0



BLOCK A - REAR ELEVATION
@ CATARAQUI WOODS DRIVE

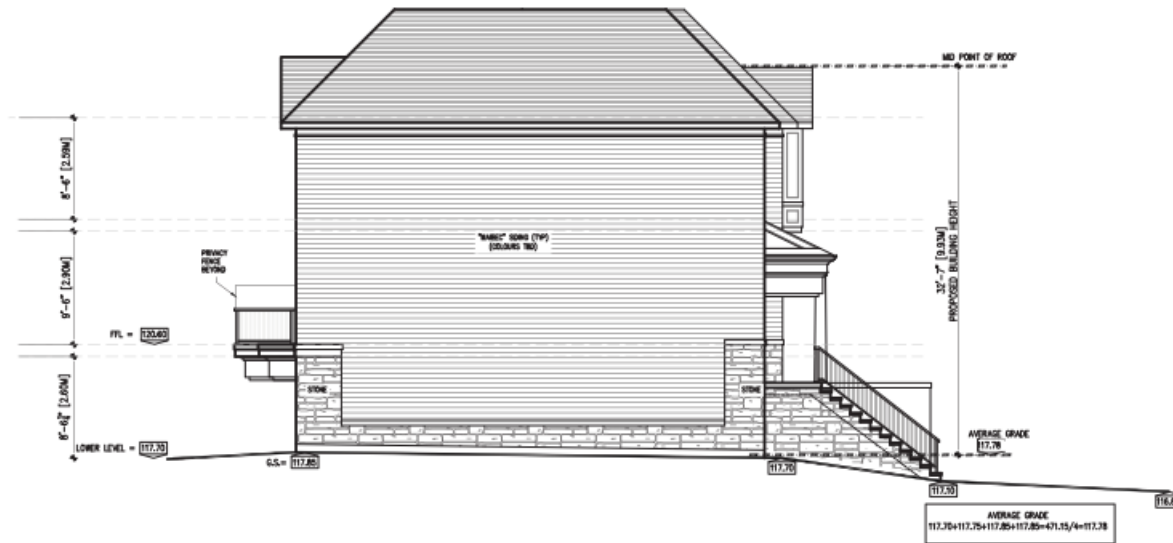
REVISIONS / ISSUE DATES		BUILDER SHALL VERIFY ALL DIMENSIONS AND ALL JOB SITE CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT.	These architectural drawings are the property of Peter Higgins Architect Inc., 124 Merton Street, Suite 204, Toronto, Ontario.
NO.	DATE		
5	FEB. 16, 2021	SUBMIT ELEVATIONS FOR CLIENT REVIEW	<p>In consideration for full payment of the architectural services rendered, the use of these drawings and any supporting attachments granted to the client/agency responsible for the construction of the aforementioned titled project, as designed, depicted and detailed on these drawings.</p> <p>These architectural drawings shall not be reproduced or used for any other purpose at any other address by any other person, firm or corporation without the written consent of Peter Higgins Architect Inc.</p>
6	MAR. 1, 2021	SUBMIT BLOCK A REAR ELEVATION FOR CLIENT REVIEW	
7	APR. 21, 2021	SUBMIT TO ADJUDICATOR CONSULTANT	
8	JUL. 07, 2022	REVISED FOR SPA (2ND SUBMISSION)	
9	MAR. 23, 2022	BLOCK A ELEVATIONS UPDATED	
10	AUG. 03, 2022	BLOCK A REVISIONS FOR REVIEW	
11	MAR. 28, 24	REVISED BLOCK A, B, C, D FOR SPA (3RD SUBMISSION)	
<p>ONLY THE LATEST APPROVED DRAWINGS ARE TO BE USED FOR CONSTRUCTION.</p> <p>IT IS THE BUILDER'S DUTY TO ENSURE THAT THEY HAVE THE LATEST APPROVED DRAWINGS IN HAND.</p>			

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TORONTO, ONTARIO, M4G 2Z2
OFFICE: (416) 401-6228
FAX: (416) 481-8064
E-MAIL: info@peterhiggins.com

PROJECT:	PROPOSED TOWN HOMES CATARAQUI WOODS/ MIDLAND KINGSTON, ONTARIO
----------	---

DRAWN BY:	L.B.M./S.A.	DATE:	MAR 2018
CHECKED BY:	P.J.H.	BCIN:	4208 3486
SCALE:	1:125	REAR (NORTH) ELEVATION	
PROJECT NO:	16-025		

DRAWING NO:	A 7.0
-------------	-------



**BLOCK A - SIDE 1 ELEVATION
@ CATARAQUI WOODS DRIVE**

REVISIONS / ISSUE DATES		SPLITTERS SHALL VERIFY ALL DIMENSIONS AND ALL JOB SITE CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT.	These architectural drawings are the property of Peter Higgins Architect Inc., 124 Merton Street, Suite 204, Toronto, Ontario. In consideration for full payment of the architectural services rendered, the use of these drawings and any supporting attachments granted to the client/agency responsible for the construction of the aforementioned titled project, as designed, depicted and detailed on these drawings. These architectural drawings shall not be reproduced or used for any other purpose at any other address by any other person, firm or corporation without the written consent of Peter Higgins Architect Inc.
NO.	DATE		
5	FEB. 16, 2021	SUBMIT ELEVATIONS FOR CLIENT REVIEW	<p>ONLY THE LATEST APPROVED DRAWINGS ARE TO BE USED FOR CONSTRUCTION.</p> <p>IT IS THE BUILDERS DUTY TO ENSURE THAT THEY HAVE THE LATEST APPROVED DRAWINGS IN HAND.</p>
6	MAR. 1, 2021	SUBMIT BLOCK A F.F.L. ELEVATION FOR CLIENT REVIEW	
7	APR. 21, 2021	SUBMIT TO ACCESSORY CONSULTANT	
8	JUL. 07, 2021	REVISED FOR SPA (PDS) SUBMISSION	
9	MAR. 23, 2022	BLOCK A ELEVATIONS UPDATED	
10	MAR. 23, 2022	BLOCK A REVISED ISSUE FOR REVIEW	
11	MAR. 26, 24	REVISED/ISSUED BLOCK A, B, C, D FOR SPA (PDS) SUBMISSION	

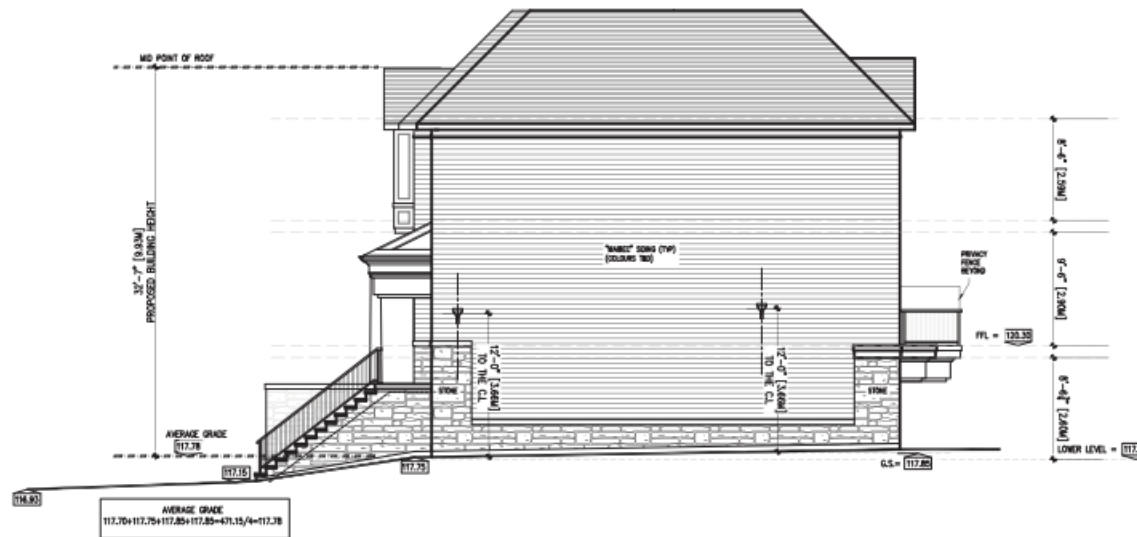
PETER HIGGINS
ARCHITECT INC.
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FAX: (416) 481-3004
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ONTARIO ASSOCIATION
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Peter Higgins
124 MERTON STREET
TORONTO, ONTARIO
M4G 2Z2

PROJECT:	PROPOSED TOWN HOMES CATARAQUI WOODS/ MIDLAND KINGSTON, ONTARIO
----------	---

DRAWN BY:	L.B.M./S.A.	DATE:	MAR 2018
CHECKED BY:	P.H.	BCIN:	4208 3486
SCALE:	1:125	EAST ELEVATION	
PROJECT NO:	15-025		

DRAWING NO:	A 8.0
-------------	-------



**BLOCK A - SIDE 2 ELEVATION
@ CATARAQUI WOODS DRIVE**

REVISIONS / ISSUE DATES		BUILDER SHALL VERIFY ALL DIMENSIONS AND ALL JOB SITE CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT.	These architectural drawings are the property of Peter Higgins Architect Inc. 124 Merton Street, Suite 204, Toronto, Ontario.
NO.	DATE		
5	FEB. 16, 2021	SUBMIT ELEVATIONS FOR CLIENT REVIEW	In consideration for full payment of the architectural services rendered, the use of these drawings and any supporting attachments granted to the client/agency responsible for the construction of the aforementioned titled project, as designed, depicted and detailed on these drawings.
6	MAR. 1, 2021	SUBMIT BLOCK A PER ELEVATION FOR CLIENT REVIEW	
7	APR. 21, 2021	SUBMIT TO AGUSIS FOR CONSULTANT REVIEW	These architectural drawings shall not be reproduced or used for any other purpose at any other address by any other person, firm or corporation without the written consent of Peter Higgins Architect Inc.
8	JUL. 07, 2021	REVISED FOR SPA (LND SUBMISSION)	
9	MAR. 23, 2022	BLOCK A ELEVATIONS UPDATED	
10	AUG. 03, 2022	BLOCK A REVISED ISSUE FOR REVIEW	
11	MAR. 25, 24	REVISED/BLOCK A, B, C, D FOR SPA (LND SUBMISSION)	

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ONTARIO ASSOCIATION
OF ARCHITECTS
4399

PROJECT:	PROPOSED TOWN HOMES CATARAQUI WOODS/ MIDLAND KINGSTON, ONTARIO
----------	---

DRAWN BY:	L.B.M./S.A.	DATE:	MAR 2018
CHECKED BY:	P.J.H.	BCIN:	4308 3486
SCALE:	1:125	WEST ELEVATION	
PROJECT NO.:	16-035		

DRAWING NO.:	A 9.0
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SOUTH ELEVATION

PETER HIGGINS ARCHITECT INC.



PROJECT NORTH

NO.	DATE	DESCRIPTION
12	FEB 18-22	REVISED SITE PLAN & APT BLDG
13	FEB 28-22	REVISED APT UNITS
14	APR 08-22	REVISED FOR SPA (RD SUBMISSION)
15	MAR 05-23	REVISED FLOOR PLANS
16	MAR 13-23	REVISED ELEVATIONS
17	NOV 14-23	REVISED ELEVATIONS
18	MAR 28-24	REVISED FOR SPA (RD SUBMISSION)

BUILDER SHALL VERIFY ALL DIMENSIONS AND ALL JOB SITE CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT.
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IF IT IS THE BUILDER'S RESPONSIBILITY THAT THEY HAVE THE LATEST APPROVED DRAWINGS IN HAND.

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TORONTO, ONTARIO, M5S 2Z2
OFFICE: (416) 481-4229
FAX: (416) 481-8084
E-MAIL: phiggins@peterhiggins.com

PROJECT:
PROPOSED TOWN HOMES
CATARAQUI WOODS/
MIDLAND
KINGSTON, ONTARIO

DRAWN BY: S.A.	DATE: MAR 2016
CHECKED BY: P.H.	BOB 4208 3496
SCALE: 1/8"=1'-0"	DRAWING TITLE: SOUTH ELEVATION
PROJECT NO: 16-035	

DRAWING NO.
Apt 5.0



REVISIONS / ISSUE DATES		
NO.	DATE	DESCRIPTION
12	FEB 16-22	REVISED SITE PLAN & APT BLDG
13	FEB 28-22	REVISED APT UNITS
14	APR 08-23	REVISED FOR SPA (DRD SUBMISSION)
15	MAR 03-23	REVISED FLOOR PLANS
16	MAR 13-23	REVISED ELEVATIONS
17	MAY 14-23	REVISED ELEVATIONS
18	MAR 28-24	REVISED FOR SPA (DRD SUBMISSION)

BUILDERS SHALL VERIFY ALL DIMENSIONS AND ALL FOR SITE CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT.
ONLY THE LATEST APPROVED DRAWINGS ARE TO BE USED FOR CONSTRUCTION.
IT IS THE BUILDERS DUTY TO ENSURE THAT THEY HAVE THE LATEST APPROVED DRAWINGS IN HAND.

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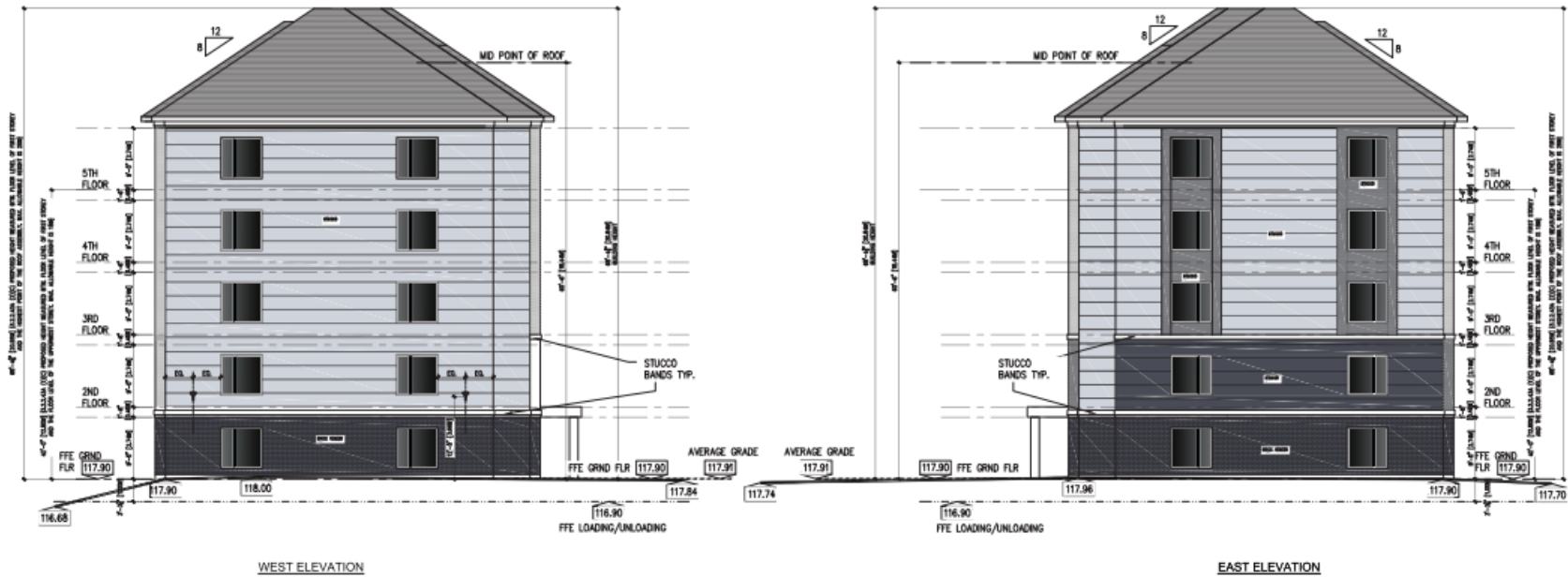
HIGGINS
PETER HIGGINS
ARCHITECT INC.
120 MARKET STREET, SUITE 204
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PROJECT:
PROPOSED TOWN HOMES
CATARAQUI WOODS/
MIDLAND
KINGSTON, ONTARIO

DRAWN BY: S.A.	DATE: MAR 2018
CHECKED BY: PJM	ICON 4208 3496
SCALE: 1/8"=1'-0"	DRAWING TITLE NORTH ELEVATION
PROJECT NO: 16-035	

DRAWING NO.
**Apt
6.0**



REVISING / ISSUE DATES	IND.	DATE	DESCRIPTION
	12	FEB 18-22	REVISED SITE PLAN & APPT BLDG
	13	FEB 28-22	REVISED APPT LIMITS
	14	AUG 08-22	REVISED FOR SPA (2ND SUBMISSION)
	15	MAR 05-23	REVISED FLOOR PLANS
	16	MAR 13-23	REVISED ELEVATIONS
	17	NOV 18-23	REVISED ELEVATIONS
	18	MAR 26-24	REVISED FOR SPA (3RD SUBMISSION)

BUILDERS SHALL VERIFY ALL DIMENSIONS AND ALL JOB SITE CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT.

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ONTARIO ASSOCIATION OF ARCHITECTS
REGISTERED ARCHITECT
LICENSE 4338

PROJECT:
PROPOSED TOWN HOMES
CATARAQUI WOODS/
MIDLAND
KINGSTON, ONTARIO

DRAWN BY: SJA
CHECKED BY: PJM
SCALE: 1/8"=1'-0"
PROJECT NO: 16-035

DATE: MAR 2018
RCN: 4208
3486
DRAWING TITLE: EAST & WEST ELEVATION

DRAWING NO:
Apt 7.0



GROUND FLOOR: UNIT AREAS (INSIDE WALLS)

UNIT	AREA W/OUT BALCONY (SQ.FT.)	TERRACE AREA SQ.FT.	TOTAL AREA SQ.FT.
UNIT 1 - 2 BED	676.58	0	676.58
UNIT 2 - 2 BED	676.58	0	676.58
UNIT 3 - 1 BED ACCESSIBLE	452.41	0	452.41
UNIT 4 - 1 BED ACCESSIBLE	452.41	0	452.41
UNIT 5 - 2 BED	676.58	0	676.58
UNIT 6 - 2 BED	676.58	0	676.58
UNIT 7 - 2 BED ACCESSIBLE	757.33	0	757.33
UNIT 8 - 2 BED	722.58	0	722.58
UNIT 9 - 3 BED ACCESSIBLE	930.25	0	930.25
UNIT 10 - 2 BED ACCESSIBLE	757.33	0	757.33
TOTAL	6778.63	0	6778.63

TYPICAL FLOOR (4 FLOORS): UNIT AREAS (INSIDE WALLS)

UNIT	AREA W/OUT BALCONY (SQ.FT.)	TERRACE AREA SQ.FT.	TOTAL AREA SQ.FT.
UNIT 1 - 2 BED	676.58	0	676.58
UNIT 2 - 2 BED	676.58	0	676.58
UNIT 3 - 1 BED	452.41	0	452.41
UNIT 4 - 1 BED	452.41	0	452.41
UNIT 5 - 1 BED	452.41	0	452.41
UNIT 6 - 2 BED	676.58	0	676.58
UNIT 7 - 2 BED	676.58	0	676.58
UNIT 8 - 2 BED	757.33	0	757.33
UNIT 9 - 2 BED	722.58	0	722.58
UNIT 10 - 2 BED	703.34	0	703.34
UNIT 11 - 3 BED	930.25	0	930.25
UNIT 12 - 2 BED ACCESSIBLE	757.33	0	757.33
TOTAL	7934.38	0	7934.38

TOTAL UNITS: = 5 (3 BEDS) + 39 (2 BEDS) + 14 (1-BED) = **58 UNITS IN 5 FLOORS**
TOTAL AMENITY SPACE REQUIRED: = 58 X 18.5 SQ.M. = 1073.00 SQ.M. OR **11549.70 SQ.FT.**
TOTAL AMENITY SPACE PROPOSED: = LANDSCAPE AMENITY = 12857.34 SQ.FT. (1194.48 SQ.M.)

NO.	DATE	DESCRIPTION
12	FEB 16-22	REVISED SITE PLAN & APT BLDG
13	FEB 28-22	REVISED APT UNITS
14	MAR 08-22	REVISED FOR SPA (IND SUBMISSION)
15	MAR 09-22	REVISED FLOOR PLANS
16	MAR 13-22	REVISED ELEVATIONS
17	NOV 18-22	REVISED ELEVATIONS
18	MAR 28-24	REVISED FOR SPA (IND SUBMISSION)

BUILDER SHALL VERIFY ALL DIMENSIONS AND ALL JOB SITE CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT.
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PROJECT:
 PROPOSED TOWN HOMES
**CATARAQUI WOODS/
 MIDLAND**
 KINGSTON, ONTARIO

DRAWN BY: S.A.	DATE: MAR 2018
CHECKED BY: P.J.H.	IGN: 4208 3496
SCALE: 1/8"=1'-0"	DRAWING TITLE: STATS
PROJECT NO: 16-035	

DRAWING NO:
**Apt
8.0**

Site Photographs – October 15, 2024



Figure 1: Existing gas station and car wash



Figure 2: West facing view of the south edge of property along Cataraqui Woods Drive



Figure 3: Looking south across western portion of property



Figure 4: Looking south across property to gas station and car wash



Figure 5: Looking south along Midland Avenue



Figure 6: View at existing driveway at Midland Avenue across site








Figure 7: Looking north across property from Cataraqui Woods Drive



Figure 8: Commercial use to the north.



CITY OF KINGSTON
Public Notice Notification Map
Address: 1233 Midland Ave.
File Number: D35-005-2021

-  120m Public Notification Boundary
-  Subject Lands
-  Property Boundaries
-  Proposed Parcels
-  114 Properties in Receipt of Notice (MPAC)



Prepared By: ncameron
Prepared On: Sep-26-2024

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From:
To: [Robidoux, Meghan](#)
Subject: Re: Development at 1233 Midland Ave.
Date: October 21, 2021 10:31:37 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning Meghan,

Thank you for addressing the questions that I had for the development on Midland Ave. Following from our conversation I did have the following questions and comments:

1.) I think it would be advantageous to zone the 6 store apartment complex as privately own condominium. This will provide an additional 64 units to the Kingston area to the housing market thus providing more opportunity to own property to Kingston residence. Indirectly, this could help remove some small number of competition for rental units in the city as well.

2.) One thing I did want to make sure that the development would not lead to is more parking on the public street. This is a real problem on many streets in Kingston and with an influx of an additional few hundred people moving to the area will likely add to this problem. What measures will the city and Plazacom to make sure this is not a problem?

In addition, I believe that the one spot for the town homes will not be sufficient parking for the units. The reason being is that many people use their garages as storage instead of a parking spot and many people have more than one car that they use. I suggest that each of the town houses be zoned for 2 spots and reduce the green space as well. This will help with the parking issues as well.

3.) Lastly, I would like the City of Kingston to provide some form of incentives to land developers (tax incentives etc.) in allowing a set of units to be earn marked for local residents. Many Kingstonians are priced out of the market while attempting to compete with other people from more expensive markets (Toronto, Ottawa etc.). Kingstonians are at a disadvantage in competing for a residential units from out of town bidders because they less equity available (lower salary and less equity from their home). Plus, this might help reduce property speculation as well. Just a thought.

If you have any questions please feel free to contact me.

Best Regards,

Stephan Diment

cell#

From: [Dr. Adrina Patterson](#)
To: [Robidoux, Meghan](#)
Subject: Regarding proposed site plan for 1233 Midland Avenue application
Date: August 3, 2021 12:15:16 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Meghan,

I understand that you are the intermediate planner on the proposed zoning by-law amendment, draft plan of subdivision.

As this application has a direct impact on our commercial office building on Cataraqui Woods Drive, I would like further information.

Can you please email me the proposed site plan and elevation drawings for the proposed application for 1233 Midland Avenue?

I understand that they want to build 34 3 storey town houses.
What will the maximum allowed height be?

I would imagine that parking will be very tight. Will there be a ruling on no secondary suites for these townhouses due to the limited parking in this small area? I do understand that they are proposing two parking spots, 1 in a garage and 1 in a driveway but nearly everyone uses a garage for storage, thus limiting parking to 1 spot. Individuals would then try to park in the private lane, limiting access for fire and other emergency services.

Where will a stormwater pond be placed to manage the run off from the town houses and apartment building?

What is the landscaping plan for the townhouses and apartment building?

How will the townhouses access Cataraqui Woods Drive or will this traffic be directed onto Midland Avenue?

How many storeys tall is the proposed apartment building?

How will municipal services be brought in to service the townhouses and the apartment building?

Thanks,

Adrina Patterson

From: [REDACTED]
To: [Van Vugt,Niki](#)
Subject: Planning - Tivoli and Midland
Date: Thursday, October 03, 2024 11:34:16 PM

Caution: This email is from an external source. Please exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi,

My family is now aware that they're planning to put in a car lot/sales location in our neighbourhood. I just want to state my lack of support for this if that helps contribute to any decisions. I'm not able to make it to the council meeting regarding this.

Our neighbourhood needs restaurants/cafes nearby and additionally would be better used for some more housing if necessary. Not a car sales lot on the corner/entrance of our neighbourhood I drive in at everyday. My family and neighbours I've talked to thinks this is a very poor idea.

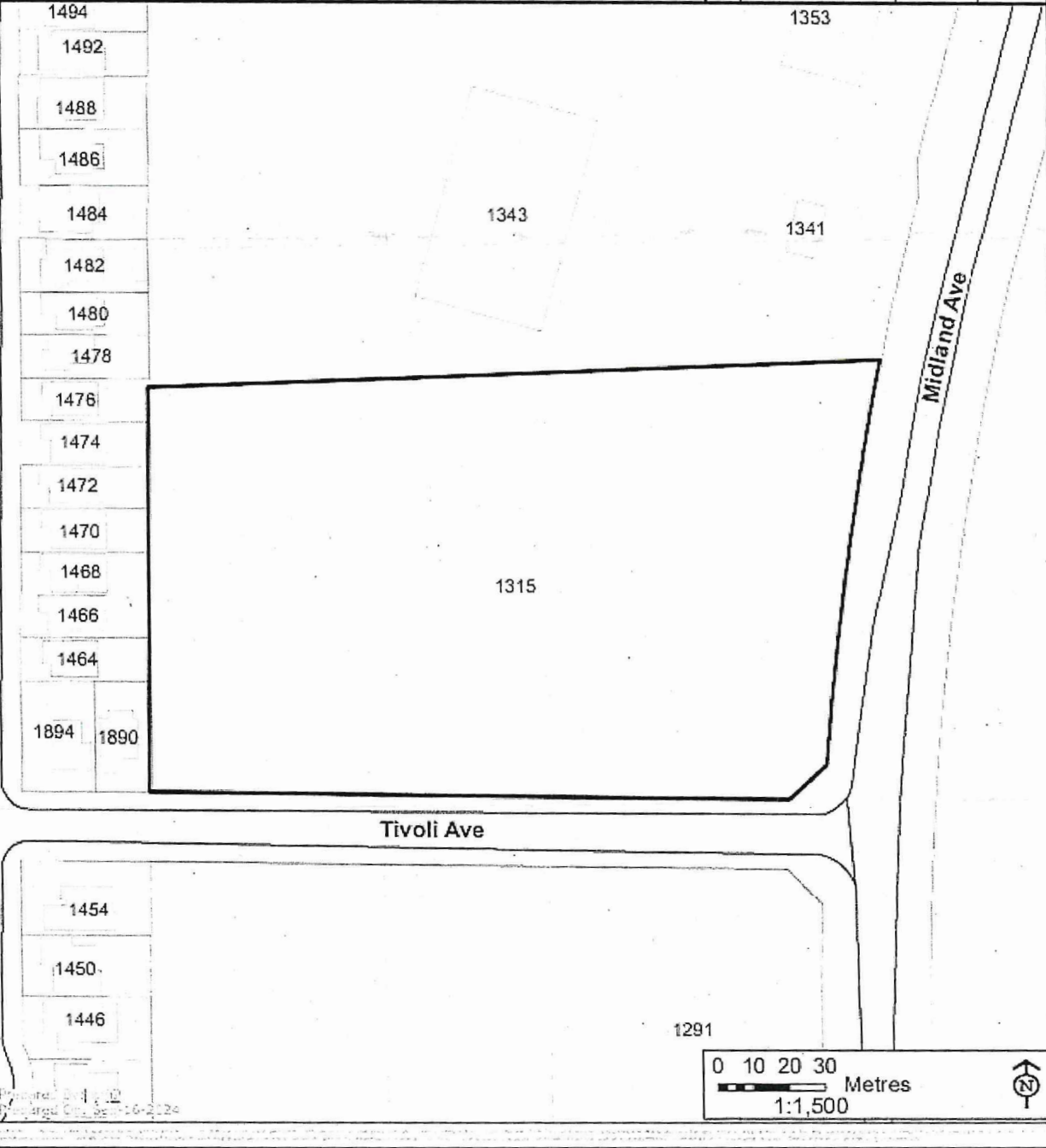
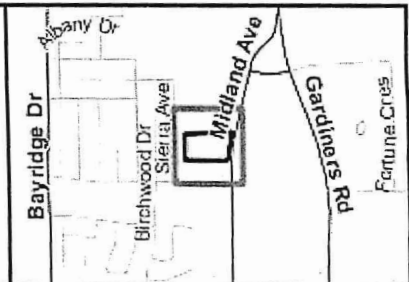
I hope my comments get taken into consideration.

Thank you,

Joel Winsor



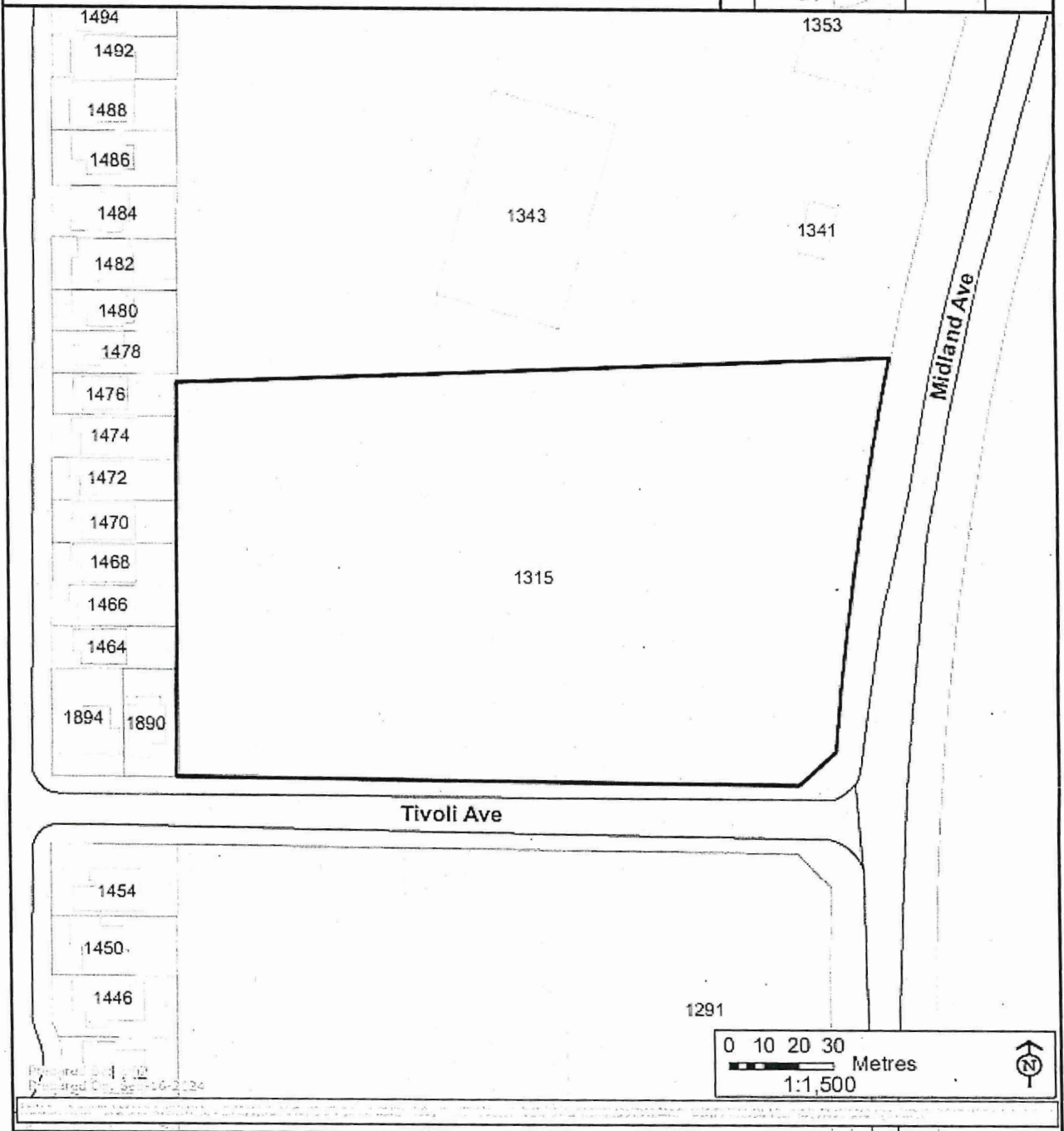
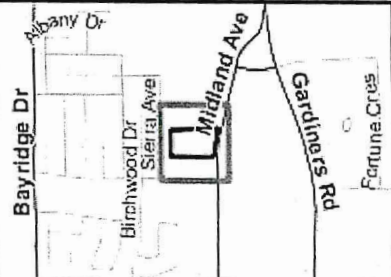
Planning Committee
Key Map
 Address: 1315 Midland Ave
 File Number: D14-014-2024
 Prepared On: Sep-16-2024
 Subject Lands



my wife and I, as almost 20 years residents in this city, are against these two plans. The city of Kingston has had many bad plans and changes, waste a lot our tax money. one of bad case was ~~was~~ ^{was} out first P.M. statue out of the park



Planning Committee
Key Map
 Address: 1315 Midland Ave
 File Number: D14-014-2024
 Prepared On: Sep-16-2024
 Subject Lands



as we strongly against these by-law changes.

Oct. 8, 2024