City of Kingston
Report to Planning Committee
Report Number PC-19-017

To: Chair and Members of Planning Committee
From: Lanie Hurdle, Acting Chief Administrative Officer
Resource Staff: Paige Agnew, Director, Planning, Building & Licensing Services
Date of Meeting: February 21, 2019
Subject: Comprehensive Report
File Number: D14-028-2018
Address: 130-152 Greenlees Drive
Application Type: Zoning By-Law Amendment
Owner: Greenwood Bros. Limited
Applicant: V. Marques Construction Limited

Executive Summary:

The following is a comprehensive report recommending approval to the Planning Committee regarding an application for a zoning by-law amendment submitted by V. Marques Construction Limited, on behalf of Greenwood Bros. Limited, with respect to the subject site located at 130-152 Greenlees Drive.

This zoning by-law amendment applies to 11 vacant lots, 130, 132, 134, 136, 138, 142, 144, 146, 148, 150 and 152 Greenlees Drive, which back onto Highway 15 that were created through Registered Plan 1846. The subject lots are designated ‘Residential’ in the Official Plan and zoned site-specific ‘Type 1 Residential - R1-13’ zone in Zoning By-Law Number 32-74. The existing zoning permits single and semi-detached dwellings and no changes are proposed to the permitted uses. The applicant is proposing to increase the maximum lot coverage and reduce the minimum rear yard setback.

This proposal is consistent with the general intent of the Provincial Policy Statement and the City of Kingston Official Plan. The approval of this zoning by-law amendment application will allow these lots to be developed with standards that are consistent with zone standards in newer subdivisions throughout the city.
Recommendation:

**That** it be recommended to Council that the application for a zoning by-law amendment (File Number D14-028-2018) submitted by V. Marques Construction Limited, on behalf of Greenwood Bros. Limited, for the property municipally known as 130-152 Greenlees Drive, be approved; and

**That** By-Law Number 32-74, Entitled "Township of Pittsburgh Zoning By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 32-74) to Report Number PC-19-017; 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.
Authorizing Signatures:

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

Lanie Hurdle, Acting Chief Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Jim Keech, President & CEO, Utilities Kingston Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer Not required
Deanne Roberge, Acting Commissioner, Corporate & Emergency Services Not required
Options/Discussion:

Background and Decision Date
A formal application was submitted by the applicant and this application was deemed complete as of September 7, 2018 in accordance with the Planning Act.

In accordance with the Planning Act, this application is subject to a decision by Council on or before February 4, 2019 which is 150 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 appeal to the Local Planning Appeal Tribunal (LPAT).

Site Characteristics
The subject lots are vacant and located in the east-end of the city, east of Highway 15 and south of Rose Abbey Drive. The subject property for the purposes of this zoning by-law amendment application includes the lots addressed as 130-152 Greenlees Drive. These lots are located in the existing Greenwood Park Subdivision and back onto Greenwood Park Trail, a linear city green space that is adjacent to Highway 15. The subject lots are surrounded by 2-storey single-detached dwellings. A walkway connecting the residential subdivision to the Greenwood Park Trail is located between 138 and 142 Greenlees Drive.

Proposed Application and Submission
The applicant is proposing to amend the existing ‘Type 1 Residential - R1-13’ zone to increase the maximum total lot coverage from 33% to 50% of the lot and to reduce the minimum rear yard setback from 7.5 metres to 6.75 metres.

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

- Cover Letter
- Concept Plan

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

Provincial Policy Statement
The Provincial Policy Statement (PPS) (2014) 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 proposed subdivision conforms to the PPS based on the considerations below. The subdivision:

- Is located within the urban boundary which is the settlement area and designated growth area (1.1.3.1):
The subject site is located within the existing Greenwood Park Subdivision adjacent to Highway 15. As per Schedule 2 of the Official Plan, the subject lots are all located within the urban boundary and within an approved plan of subdivision.

- Proposes a density which conforms to the Official Plan and efficiently uses the subject lands (1.1.3.2(a)1):

The subject lots are existing lots of record and were created through an approved plan of subdivision number 1846. The subject application does not propose any change in the density, as such; the existing density of 12.8 units per net hectare will be maintained. This density calculation assumes that the subject vacant lots will also be developed with single-detached dwellings, rather than semi-detached dwellings, which are also permitted within the existing zoning by-law. The construction of single-detached dwellings on the currently vacant parcels of land will more efficiently use municipal infrastructure and will implement the approved plan of subdivision in this neighbourhood.

- Has been designed to efficiently use municipal infrastructure, which is available (1.1.3.2(a)2):

The subject lots are existing lots of record and established through an approved plan of subdivision. All necessary municipal servicing infrastructures such as water, sewer and sanitary are available to service these lots.

- Supports active transportation through the inclusion of multi-use pathways, mid-block connections, and by contributing to a linear park network which includes the use of existing gas easement and hydro corridor (1.1.3.2(a)3):

The Greenwood Park Trail is a pedestrian walkway that runs adjacent to Highway 15 and provides connectivity to existing neighbourhoods along Highway 15. A walkway connecting the residential subdivision to the Greenwood Park Trail is located between 138 and 142 Greenlees Drive. Transit bus stops are accessible within 400 metres of the subject lots both along Highway 15 and on Rose Abbey Drive.

- Supports transit by increasing the number of people living along existing and planned transit routes (1.1.3.2(a)5):

The proposed zoning by-law amendment will allow the balance of the vacant 11 lots to be developed and will allow additional people to live in the neighbourhood, resulting in more efficient use of existing transit infrastructure on planned transit routes.

- Proposes a density and a mix of uses which efficiently use the available land, infrastructure and public service facilities. (1.1.3.6):

The subject lots are existing lots of record and therefore there will be no change in density. The development of the vacant 11 lots will allow additional people to live in the neighbourhood and more efficiently use existing infrastructure.
Official Plan Considerations

The subject property is designated ‘Residential’ as per Section 3.3 in the Official Plan (Exhibit D – Official Plan, Land Use). Section 3.3 of the Official Plan specifies that the goal of the Residential designation is to respond to the housing needs of the city’s citizens by retaining and augmenting a broad range of housing within a safe, convenient and stable setting, organized primarily into neighbourhoods.

The predominant use within the ‘Residential’ designation is residential dwellings, including detached, semi-detached or duplex dwellings, townhouses, and apartments of various types, tenure and density that respond to a wide range of housing needs. In addition to the various forms of housing, community facilities such as schools and places of worship are also permitted. Small-scale, convenience commercial uses which support residential neighbourhoods and are compatible with the residential setting may also be permitted in the designation.

The focus of growth within the City of Kingston will occur mostly within the Urban Boundary (Section 2.2.1). The subject vacant lots are located within the existing Greenwood Park subdivision which is located within the urban boundary in accordance with Schedule 2 of the Official Plan. The subject lands are located within a Housing District on Schedule 2 – Urban Structure in the City of Kingston Official Plan.

Section 2.2 of the Official Plan states that the city is divided into broad, structural elements which are intended to remain stable for the duration of the Plan. The subject property is within a Housing District. Housing Districts are generally planned to remain stable, but it is stated that they will continue to mature and adapt as the city evolves (Section 2.2.5). Re-investment and upgrading are encouraged through minor infilling and development that compatibly integrate with the prevailing built form found in the neighbourhood.

The Official Plan identifies that it is the intent of the City to increase urban residential density and that residential intensification targets are to be achieved through larger scale development; the expansion or conversion of existing buildings; the redevelopment of vacant, underutilized or brownfield sites; and infill developments (Section 2.4.5). Infill is defined in the Official Plan as, “the development or redevelopment of a vacant or underutilized lot, or a consolidated number of lots. Infill development encourages intensification and sustainability”.

Section 2.7.1 requires development to demonstrate that the resultant form, function and use of land are compatible with the surrounding land uses. Land use compatibility matters and mitigation measures may be used to achieve development and land use compatibility including but is not limited to:

- Shadowing:

  The maximum allowed building height permitted by the existing zone is 9 metres which can facilitate the construction of up to a 2-storey building that is consistent with the existing neighbourhood which consists of a mix of bungalows and 2-storey single-detached dwellings. The maximum height in conjunction with the minimum required front,
rear and side yard setback will control the scale and massing of the building to ensure that no are no negative impacts from shadowing of the proposed buildings.

- Loss of privacy due to intrusive overlook:

There is no negative impact on privacy or intrusive overlook. The maximum permitted 2-storey built form is consistent with the existing neighbourhood. Other than the proposed amendments for maximum lot coverage and minimum rear yard setback, all other provisions remain unchanged and will apply to any proposed buildings on the subject lots similar to the way these provisions apply to the existing building in the neighbourhood. There are no concerns from a loss of privacy or intrusive overlook since the building separation distances will be maintained similar to the existing buildings in the neighbourhood, in accordance with the required setbacks of the zone.

- Increased levels of light pollution, noise, odour, dust or vibration:

There would be no changes to street lighting. Street lighting is provided by light posts located on the south side of Greenlees Drive. The subject lots are located with an approved plan of subdivision and the permitted single-detached dwelling use is consistent with the rest of the residential subdivision. There are no sensitive uses being introduced that can cause any incompatibility from a noise standpoint. There is no further concern with any impact from light, noise, odour, dust or vibration.

- Increased and uncomfortable wind speed:

The maximum permitted building height and the required setbacks allow for sufficient separation distances between buildings, with no concerns related to increased or uncomfortable wind speeds.

- 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:

Since the subject 11 lots are existing lots of record created through an approved plan of subdivision, the traffic associated with the development of single-detached or semi-detached dwellings was contemplated through the previously approved subdivision process. The proposed amendment to lot coverage and rear yard setback will have no impact on the functionality of active transportation of vehicular traffic in the area. The subject vacant lots front onto Greenlees Drive, which is a public road designed to allow for two-way traffic and facilitate on-street parking if necessary.

- Environmental damage or degradation:

The subject lots are existing and were created through a plan of subdivision. The permitted use of a single-detached dwelling is consistent with the use of the existing residential subdivision and compatible to the surrounding. The proposed relief from
maximum lot coverage and minimum rear yard setback will not cause any environmental
damage or degradation.

- Diminished service levels because of social or physical infrastructure necessary to
  support a use or area are overloaded:

  There is no change in density since the subject lots are existing lots of record. There
  would be no changes in social or physical infrastructure required since the development
  of these lots was contemplated through the planned approval of the plan of subdivision.
  All necessary municipal infrastructure, such as water, sewer, sanitary, transit and parks
  are all existing.

- Reduction in the ability to enjoy a property, or the normal amenity associated with it,
  including safety and access, outdoor areas, heritage or setting:

  The proposed amendments to the zone provision will not impact the residential character
  and function of the neighbourhood. The proposed amendments will not impede the
  safety, access and enjoyment of personal property and common amenity areas of the
  neighbourhood. The vacant lots being developed will allow the use of under-utilized lots
  and add to the vibrancy of the neighbourhood.

- Visual intrusion that disrupts the streetscape or buildings:

  The proposed amendments to the provisions for increased maximum lot coverage and
  minimum rear yard setback will not result in visual intrusion that disrupts the streetscapes
  or buildings. Construction of single-detached dwellings on the subject properties will be
  required to meet the minimum front yard setback and maximum height in a manner that is
  consistent with the existing homes on Greenlees Drive. The walkway located between lot
  138 and 142 Greenlees Drive is an existing 3.5 metre wide walkway that connects
  Greenlees Drive to Greenwood Park Trail. The edge of the walkway is separated by at
  least a 6.0 metre wide landscaped strip on both sides of the walkway to the side property
  line. In addition, a minimum 1.2 metre interior side yard setback is required from each
  building to the side property line. This allows for sufficient buffer between the location of
  the actual proposed buildings and the paved portion of the walkway. Property owners will
  also have the ability to install screening fence up to 1.8 metres in height around the rear
  and side of their property to mitigate any visual impact on the walkway.

- Degradation of cultural heritage resources:

  There are no identified cultural heritage resources affecting the proposed development of
  the subject lots.

- Architectural incompatibility in terms of scale, style, massing and colour:
Architectural compatibility in terms of scale and massing will be reviewed against the existing zone provisions to ensure that all proposed buildings on these lots comply with all applicable zone provisions.

- The loss or impairment of significant views of cultural heritage resources and natural features and areas to residents:

  The subject lots are located within an existing plan of subdivision and are intended to be part of an existing neighbourhood. There are no identified cultural heritage resources or natural features; therefore, the proposed development on the subject lots will not negatively impact any cultural heritage resources or any natural features.

Section 2.7.6 provides direction for providing functional needs for developments to meet the long-term needs of the intended users or occupants. 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:

a. Suitable scale, massing and density in relation to existing built fabric:

   The proposed zoning relief to increase the maximum lot coverage from 33% to 50% and reduce the minimum required rear yard setback from 7.5 metres to 6.75 metres will not impact the density of this neighbourhood. The subject lots are existing lots of record and the existing permitted density of 12.8 units per net hectare will be maintained as a result of this proposal. The scale and the massing will change very slightly with respect to the amended zoning relief in maximum lot coverage and minimum rear yard setback. The increase in maximum lot coverage and decrease in the rear yard setback will allow a slightly larger building footprint without negatively impacting the existing surrounding neighbourhood. Zoning provisions such as minimum setbacks, maximum building height, maximum lot coverage, and minimum landscaped open space will control the scale and massing of proposed buildings to ensure that the proposed buildings are compatible with the existing surrounding buildings.

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:

   The existing 11 lots will be required to maintain a minimum of 30% landscaped open space on the front, side and rear yard of each lot. This requirement will be reviewed through the Building Permit review process. In addition to the required landscaped open space, an approximately 4.5 metre wide boulevard is also present between the front property lines of these lots to the curb which will provide for additional landscaped space. There are no sidewalks on the north side of Greenlees Drive.

c. Adequate land area and appropriate site configuration or provision for land assembly, as required:
The subject lots are existing lots of record that were approved through a plan of subdivision. The existing lots meet the minimum lot area and minimum lot frontage requirements of the existing ‘R1-13’ zone. The subject lots are existing; therefore, no land assembly is required.

d. Efficient use of municipal services, including transit:

The vacant lots are existing lots of record and were created through a plan of subdivision. All necessary municipal services, including transit infrastructure, are available to service these lots. The development of these vacant lots will allow more people to live in the neighbourhood and allow efficient use of the existing municipal services.

e. Appropriate infill of vacant or under-utilized land:

This proposal will allow the development of these currently vacant lots to be used as intended through the approved plan of subdivision and the applicable ‘R1-13’ zone.

f. Clearly defined and safe:
   - Site access;
   - Pedestrian access to the building and parking spaces;
   - Amenity areas;
   - Building entry; and
   - Parking and secure and appropriate bicycle facilities.

The subject vacant lots are existing lots of record and were created through an existing plan of subdivision with frontage onto Greenlees Drive which is a Public Street. Any proposed development on the subject lots will be provided pedestrian and vehicular access from Greenlees Drive. Parking will be required to be provided on-site for each lot at the rate of 1 parking space per dwelling unit. This requirement will be reviewed at the Building Permit review stage. Any proposed building on these lots is subject to a Building Permit review process through which a plot plan is required to be submitted. The submitted plot plan drawing must clearly demonstrate how each zoning provision is met in terms of setbacks to the building, location and width of driveways, percentage of landscaped open space, location of walkways to access building entrances, location of accessory buildings, etc. Proposed building elevations are also required during this review to ensure compliance with building height and understand the architectural details of the proposed building including location of door and windows.

Section 3.3.A of the Official Plan outlines the parameters and policies with respect to low density residential development. A residential density of up to 37.5 units per net hectare is considered low density. The existing permitted density is 12.8 units per net hectare. There will be no change in the density as the subject lots exist and there is no change proposed to the lot configuration. The existing zoning also regulates the use, height and setbacks, parking and required landscaped open space for the single-detached form of housing.
**Zoning By-Law Considerations**

The subject property is zoned site-specific ‘Type 1 Residential – R1-13’ zone in Zoning By-Law Number 32-74. The applicant is proposing to increase the maximum total lot coverage from the required 33% to 50% of the lot, and reduce the minimum rear yard setback from the required 7.5 metres to 6.75 metres.

<table>
<thead>
<tr>
<th>Provision</th>
<th>Requirement</th>
<th>Proposed</th>
<th>Relief Required</th>
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<tbody>
<tr>
<td><strong>Single Detached Dwelling</strong></td>
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<tr>
<td>Minimum Lot Area</td>
<td>465 square metres</td>
<td>Existing lot frontage of minimum 557 square metres</td>
<td>No</td>
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<tr>
<td>Minimum Lot Frontage - Corner Lot</td>
<td>18 metres</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
<tr>
<td>- Other Lot</td>
<td>15 metres</td>
<td>Existing lot frontage of minimum 15.5 metres</td>
<td>No</td>
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<tr>
<td>Minimum Front Yard Depth</td>
<td>6.1 metres</td>
<td>No change proposed</td>
<td>No</td>
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<tr>
<td>Minimum Exterior Side Yard Width</td>
<td>6.1 metres</td>
<td>Not applicable</td>
<td>No</td>
</tr>
<tr>
<td>Minimum Interior Side Yard Width</td>
<td>1.2 metres on one side and 2.4 metres on the other side provided that on the side where there is an attached private garage, the minimum interior side yard may be reduced from 2.4 metres to 1.2 metres.</td>
<td>No change proposed</td>
<td>No</td>
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<tr>
<td>Minimum Rear Yard Depth</td>
<td>7.5 metres</td>
<td>6.75 metres</td>
<td>Yes</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>33% of total lot area</td>
<td>50% of total lot area</td>
<td>Yes</td>
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<tr>
<td>Height of Building</td>
<td>9 metres</td>
<td>No change proposed</td>
<td>No</td>
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<tr>
<td>Provision</td>
<td>Requirement</td>
<td>Proposed</td>
<td>Relief Required</td>
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<tr>
<td>Dwelling Unit Area</td>
<td>85 square metres</td>
<td>No change proposed</td>
<td>No</td>
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<tr>
<td>Dwelling House Per Lot</td>
<td>1 dwelling house</td>
<td>No change proposed</td>
<td>No</td>
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<tr>
<td>Setback</td>
<td>(a) other road – 9 metres plus the minimum required front yard depth</td>
<td>No change proposed</td>
<td>No</td>
</tr>
<tr>
<td>Location of Accessory Structures</td>
<td>Nothing in this by-law shall prevent the location of accessory uses within a required interior side yard provided that no such use is located within 1.2 metres of a side lot line, except where adjoining private garages are erected on the common lot line between two lots, in which case no interior side yard is required.</td>
<td>No change proposed</td>
<td>No</td>
</tr>
<tr>
<td>Location of Driveways</td>
<td>a) Nothing shall prevent the location of a driveway within a required interior side yard provided that no driveway is located within 1.2 metres of a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not</td>
<td>No change proposed</td>
<td>No</td>
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<tr>
<td>Provision</td>
<td>Requirement</td>
<td>Proposed</td>
<td>Relief Required</td>
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<tr>
<td>Landscaped Open Space</td>
<td>30% of total lot area</td>
<td>No change proposed</td>
<td>No</td>
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<tr>
<td>Minimum Required Number of Parking</td>
<td>1 parking space per dwelling unit</td>
<td>No change proposed</td>
<td>No</td>
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<tr>
<td>Space</td>
<td></td>
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<tr>
<td>Minimum Dimension for Parking Space</td>
<td>2.75 metres x 5.2 metres</td>
<td>No change proposed</td>
<td>No</td>
</tr>
<tr>
<td>Semi-Detached Dwelling House</td>
<td></td>
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<tr>
<td>Minimum Lot Area</td>
<td>325 square metres</td>
<td>Existing lot frontage of minimum 557 square</td>
<td>No</td>
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<tr>
<td>Frontage</td>
<td></td>
<td>metres</td>
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<tr>
<td>- Corner Lot</td>
<td>15 metres</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
<tr>
<td>- Other Lot</td>
<td>10.5 metres</td>
<td>Existing lot frontage of minimum 15.5 metres</td>
<td>No</td>
</tr>
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<td>Minimum Front Yard Depth</td>
<td>6.1 metres</td>
<td>No change proposed</td>
<td>No</td>
</tr>
<tr>
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<td>6.1 metres</td>
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<tr>
<td>Minimum Interior Side Yard Width</td>
<td>1.2 metres plus 0.6 metres for every storey, or portion thereof, on that side where the building height exceeds one-storey.</td>
<td>No change proposed</td>
<td>No</td>
</tr>
<tr>
<td>Minimum Rear Yard Depth</td>
<td>7.5 metres</td>
<td>6.75 metres</td>
<td>Yes</td>
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<td>Maximum Lot Coverage</td>
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<td>Height of Building</td>
<td>9 metres</td>
<td>No change proposed</td>
<td>No</td>
</tr>
<tr>
<td>Dwelling Unit Area</td>
<td>78.5 square metres</td>
<td>No change proposed</td>
<td>No</td>
</tr>
<tr>
<td>Dwelling House Per Lot</td>
<td>1 dwelling house</td>
<td>No change proposed</td>
<td>No</td>
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<td>Location of Accessory Structures</td>
<td>Nothing in this by-law shall prevent the location of accessory uses within a required interior side yard provided that no such use is located within 1.2 metres of a side lot line, except where adjoining private garages are erected on the common lot line between two lots, in which case no interior side yard is required.</td>
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| Location of Driveways         | a) Nothing shall prevent the location of a driveway within a required interior side yard provided that no driveway is located within 1.2 metres of a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.  
   b) Nothing shall prevent the location of a driveway within a required exterior side yard provided that such driveway intersects with the exterior side lot line and is not located within 1.2 metres of the rear lot line. | No change proposed | No              |
| Landscaped Open Space         | 30% of total lot area                                                       | No change proposed        | No              |
| Minimum Required Number of Parking Space | 1 parking space per dwelling unit                                           | No change proposed        | No              |
| Minimum Dimension for Parking Space | 2.75 metres x 5.2 metres                                                     | No change proposed        | No              |

The above table shows that amendments are only being proposed to the provisions for maximum lot coverage and minimum rear yard setback. Where the table states ‘no change proposed’, it notes all other ‘R1-13’ zone provisions that will remain unchanged. The provisions
that are proposed to remain unchanged will be examined for compliance during the plot plan review at the Building Permit stage.

The proposed 50% maximum lot coverage will be implemented through a site-specific zoning by-law if approved and will limit the total lot coverage to 50% of the area of the lot for all buildings and structures. The side yard setback and the front yard setback will remain unchanged. This is an increase of 17% lot coverage compared to the 33% that is currently allowed. The definition of 'lot coverage' in Zoning By-Law Number 32-74 includes all buildings and structures including uncovered patios, porches, decks and pools above a height of 0.5 metres over the finished grade – an example of this would be a raised deck on the second storey. This amendment will allow greater flexibility for building design on the subject lots for not just the principal building but also accessory buildings such as pools, sheds, pergolas and raised decks, which all count towards lot coverage. This request is consistent with the zoning for most new subdivisions. This amendment will allow the variability in building design which will allow building designs that look different from one other.

The subject lots are required to meet the minimum 30% landscaped open space requirement. ‘Landscaped open space’ is defined as open, unobstructed space, at grade on a lot, which is suitable for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition does not include driveways, ramps or parking area. The required 30% landscaped open space will also limit the building footprint on these lots and ensure the provision of permeable surfaces and open spaces. Engineering review has confirmed that there are no concerns with drainage on the subject lots from the increase lot coverage. A grading plan will be reviewed for each lot at the time of the Building Permit review to ensure that there is not an impact from drainage onto public streets or the adjacent properties.

The subject lots were created through a registered plan of subdivision, Plan 1846. The existing lot sizes vary from approximately 557 square metres to 784 square metres with lot frontages varying from 15.5 metres to 18.3 metres which comply with the ‘R1-13’ zone. The ‘R1-13’ zone requires a minimum lot area of 465 square metres and a minimum lot frontage of 18 metres for corner lots and 15 metres for all other lots. The subject lots have a minimum lot frontage of 15.5 metres which meets the minimum required lot frontage of 15 metres in the ‘R1-13’ zone. No amendments are being proposed to the minimum lot area or minimum lot frontage requirements.

The applicant is proposing to reduce the minimum rear yard setback from the required 7.5 metres to 6.75 metres. The proposed reduction will allow a larger building footprint and more flexibility in terms of building design and the location of the building on the lot. No other provisions of the existing zone are proposed to be amended. The building footprint will also be controlled through the provision of minimum front, rear and side setbacks, maximum lot coverage and minimum landscaped open space. The reduction in rear yard setback will not have any negative impact on the adjacent buildings or to the rear of the subject lots which back onto Highway 15. Highway 15 and Greenwood Park Trail are screened through existing landscaping on the City’s property. In addition, the fencing will be installed along the rear property line of the subject lots to ensure privacy of the residents and reduce any overlook onto pedestrians.
There are no other amendments proposed to the existing zone other than the reduction in minimum rear yard setback and maximum lot coverage. A site-specific draft zoning by-law has been attached to the report to implement the amended provisions for minimum rear yard setback and maximum lot coverage. A site-specific ‘R1-52’ is recommended to be approved that carries forward all the provisions of the existing ‘R1-13’ zone in addition to the two amended provisions. The draft ‘R1-52’ zone is proposed to override the existing ‘R1-13’ zone on the subject property.

The above review of the proposal to amend maximum lot coverage and minimum rear yard setback against the policies of the PPS and the Official Plan (OP), establishes the conformity of this proposal against the policies of the PPS and the OP.

**Other Applications**  
No other planning applications are required to allow construction on the subject lots.

**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 technical issues with this application remain at this time.

**Public Comments**  
The following is a summary of all of the public input received to date, including the public submissions received at the Public Meeting held on November 15, 2018 and the additional public submissions received since this time. All original public comments are available in Exhibit H of this report.

**Question:** Why are semi-detached dwellings and townhouses being allowed on subject 11 lots? Semi-detached dwelling and townhouses are uncharacteristic of the neighbourhood.

**Response:** The existing ‘R1-13’ permits single-detached dwellings. Townhouses are not permitted in the existing zone or proposed in the subject application. No change in permitted uses is being proposed through this zoning by-law amendment proposal. Townhouses are not a permitted use in the subject zone. In discussions with the developer, the developer intends to develop the subject lots with single-detached dwellings.

**Question:** Adding semi-detached dwelling and townhouses on the subject lots will increase traffic, carbon footprint and congestion.

**Response:** Townhouses are not a permitted use on the subject lots. The 11 subject lots are existing lots created through a plan of subdivision. The number of lots is not proposed to change through this proposal. Therefore, traffic volumes would be contemplated through the subdivision approval which is consistent with this proposal. Greenless Drive is a public street designed with a minimum 20 metres wide road right-of-way that can accommodate two-way traffic flows in addition to any on-street parking.
Question: Allowing these homes will reduce green space in this neighbourhood.

Response: The subject 11 lots were created through a plan of subdivision and are existing lots of record. The property owner has the ability to construct single-detached and semi-detached dwellings on this lot without the proposed zoning by-law amendment application. Greenwood Park located within the Greenwood Park Subdivision and within proximity to the subject lots will provide for parkland for this community.

Question: Will the driveways be sufficiently long to accommodate full-size vehicles?

Response: The zoning by-law requires a minimum 5.2 metre long driveway leading to proposed garages or parking space. At the time of the Building Permit review, any proposed building will be required to meet the minimum parking space dimensions of Zoning By-Law Number 32-74 which requires parking spaces to be 2.75 metres wide by 5.2 metres long. No relief is being proposed by the applicant to reduce this requirement.

Question: The proposed increased lot coverage will create more stormwater run-off. Has it been demonstrated that this will not have a negative impact on the immediate area?

Response: Engineering Services has reviewed this proposal and has no concerns with the proposed increase in lot coverage. A grading plan will be required during the Building Permit review to ensure that the proposed grading on each lot is consistent with the approved grading plan for the subdivision.

Effect of Public Input on Draft By-Law
Public input as noted above has been clarified through the responses as stated. There was no effect of the public input on to the Draft By-Law.

Conclusion
The proposal to increase the maximum lot coverage and reduce the minimum rear yard setback will not negatively impact the neighbourhood or surrounding existing single-detached dwellings. The proposed amendments are consistent with the zone provisions for new subdivisions and will allow for design flexibility for proposed building on these lots. The proposed amendments will allow the subject lots to be developed and provide for a consistent street-wall on Greenlees Drive. Relevant technical agencies have reviewed this proposal and have no concerns with the proposed amendments. This proposal also conforms to the relevant policies of the PPS and the OP.

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 Policy Statement, 2014

Municipal
City of Kingston Official Plan
Zoning By-Law Number 32-74

Notice Provisions:

A Public Meeting was held respecting this application on November 15, 2018. Pursuant to the requirements of the Planning Act, a notice of the Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, notices were sent by mail to 110 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property and a courtesy notice was placed in The Kingston Whig-Standard on November 6, 2018.

Notice of regular meeting was provided in the form of revised signage posted on the property to reflect the date, time and location of the regular meeting. Notices were also sent by mail to all 110 property owners (according to the latest Assessment Rolls) within a 120 metres radius of the subject property and a courtesy notice was placed in The Kingston Whig-Standard on February 12, 2019.

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

At the time of the writing of this report, 4 pieces of correspondence have been received and all planning related matters have been addressed within the body of this report. Any correspondence received after the publishing of this report will be included as an addendum to the Planning Committee agenda.

Accessibility Considerations:

Not applicable

Financial Considerations:

Not applicable

Contacts:

Laura MacCormick, Deputy Director, Planning Division 613-546-4291 extension 3223

Sajid Sifat, Intermediate Planner 613-546-4291 extension 3126
Other City of Kingston Staff Consulted:
Not applicable

Exhibits Attached:

Exhibit A  Draft By-Law and Schedule A to Amend Zoning By-Law Number 32-74
Exhibit B  Key Map
Exhibit C  Neighbourhood Context (2017)
Exhibit D  Official Plan, Land Use
Exhibit E  Zoning By-Law Number 32-74, Map 4
Exhibit F  Site Plan
Exhibit G  Public Notice Notification Map
Exhibit H  Public Comments
By-Law Number 2019-XX

A By-Law to Amend By-Law Number 32-74, “A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in The Township of Pittsburgh”, as amended (Zone Change from ‘R1-13’ to ‘R1-52’, 130-152 Greenlees Drive)

Passed: [Meeting Date]

Whereas by Order of the Minister of Municipal Affairs and Housing, The Corporation of the Township of Kingston, The Corporation of the Township of Pittsburgh and The Corporation of the City of Kingston were amalgamated on January 1, 1998 to form The Corporation of the City of Kingston as the successor municipal Corporation and pursuant to the Minister’s Order, any by-laws of the former municipality passed under the Planning Act, R.S.O. 1990, c. P.13 continue as the by-laws covering the area of the former municipality now forming part of the new City; and

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 32-74, as amended, of the former Township of Pittsburgh;

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

1. By-Law Number 32-74 of The Corporation of the City of Kingston, entitled “A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in The Township of Pittsburgh”, as amended, is hereby further amended as follows:

1.1. Map 4 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘R1-13’ to ‘R1-52’, as shown on Schedule “A” attached to and forming part of By-Law Number 2019-____.

1.2. By adding the following Subsection (yy) in Section 9(3) – Special R1 Zones:

“Special Requirements (R1-52) (130-152 Greenlees Drive):

(yy) Notwithstanding any provisions of this by-law to the contrary, the lands designated R1-52 on Schedule “A” herefo shall be developed in accordance with the following provisions:

(i) Detached Single-Family Dwelling House on a lot served by a public water system and a sanitary sewer system:
(a) Lot Area (minimum): 465 square metres

(b) Lot Frontage (minimum):
   (i) Corner lot - 18 metres
   (ii) Other lot - 15 metres

(c) Front Yard Depth (minimum): 6.1 metres

(d) Exterior Side Yard Width (minimum): 6.1 metres

(e) Interior Side Yard Width (minimum): 1.2 metres on one side and 2.4 metres on the other side provided that on the side where there is an attached private garage, the minimum interior side yard may be reduced from 2.4 metres to 1.2 metres.

(f) Dwelling Unit Area (minimum): 85 square metres

(g) Rear Yard Depth: 6.75 metres

(h) All other zone provisions in accordance with the provisions of Section 9(2) hereof.

(ii) Semi-Detached Dwelling House on a lot served by a public water system and a sanitary sewer system:

   (a) Lot Area (minimum): 325 square metres

   (b) Lot Frontage (minimum):
      (i) Corner lot 15 metres
      (ii) Other lot 10.5 metres

   (c) Front Yard Depth (minimum): 6.1 metres

   (d) Exterior Side Yard Width (minimum): 6.1 metres

   (e) Dwelling Unit Area (minimum): 78.5 square metres

   (f) All other zone provisions in accordance with the provisions of Section 9(2) hereof.

   (g) Interior Side Yard Width (minimum): 1.2 metres plus 0.6 metres for every storey, or portion thereof, on that side where the building height exceeds one storey.
(h) Rear Yard Depth: 6.75 metres

(iii) Setback (minimum):

(a) Other road – 9 metres plus the minimum required front yard depth.

(iv) Location of Accessory Uses:

Nothing in this by-law shall prevent the location of accessory uses within a required interior side yard provided that no such use is located within 1.2 metres of a side lot line, except where adjoining private garages are erected on the common lot line between two lots, in which case no interior side yard is required.

(v) Location of Driveway:

(a) Nothing shall prevent the location of a driveway within a required interior side yard provided that no driveway is located within 1.2 metres of a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.

(b) Nothing shall prevent the location of a driveway within a required exterior side yard provided that such driveway intersects with the exterior side lot line and is not located within 1.2 metres of the rear lot line.

(vi) Lot Coverage (maximum): 50%"
SCHEDULE 'A'
TO BY-LAW NUMBER

File Number: D14-028-2018
Address: 130 - 152 Greenlees Drive

LEGEND
Reference By-Law 32-74, Map 4

Rezoned from R1-13 to R1-52

Certificate of Authentication
This is Schedule 'A' to By-Law Number ____.
passed this _____ day of ____________ 2019.

Mayor                                       Clerk
PLANNING COMMITTEE
ZONING BY-LAW 32-74, Map 4

Applicant: V. MARQUES CONSTRUCTION LIMITED
Owner: GREENWOOD BROS LIMITED
File Number: D14-028-2018
Address: 130-152 Greenlees Drive

LEGEND

- Subject Properties
- Consolidated Zoning
- Property Boundaries

PREPARED BY: J. Partridge
DATE: 10/10/2018
I am writing in regards to the proposal by-law amendment (ZBA) 130-152 Greenless Drive.

I live at 158 Greenleses Drive and have lived here for 15 years.

I am against this proposal and my concerns are as follows:

1. I believe that the suggestion of placing town homes or semis will decrease the value of homes in this area as the standard for this neighbourhood has always consisted of single-fully bricked homes. With this type of build it will not have the same standard look and will decrease our property value.

2. The road was closed from highway 15 onto Greenleses Drive to decrease the amount of traffic. Adding semis or townhouses will increase traffic to this area and also congest the streets with parking of vehicles which will increase the carbon imprint to the neighbourhood.

3. There is enough townhomes across highway 15 in the new subdivision for the supply and demand of cheaper homes in our area and I don't think introducing these type of builds in a established area benefits anyone who lives here.

4. When we moved in this area we chose it because of the country feel and open spaces now the green spaced is slowly disappearing anywhere on the west and east sides of Highway 15.

Thank you for listening to my concerns as we love our east end neighbourhood.

Sincerely,

Sergio and Lynn Rosa
Sir or Madam

Reference the property: 130-152 Greenlees Drive

I am against any multi-dwelling housing to be built in front of my house. I feel that even with a single dwelling housing, our road cannot support the traffic/additional vehicles that will result. There was a connecting street from Highway 15 to Greenlees and that was eliminated. So all traffic is required to access Greenlees from McCallum, which creates delays for any emergency vehicles to get here or to exit quickly. Snow removal is a problem on this street, and by having more vehicles coming through the neighbourhood will add to the problem.

We have lived here for twenty years and this is a single dwelling area and I want it to remain that way. This was a nice green area, we knew that it could be developed but remained hopeful that if houses were put in they would compliment the area, not degrade it. Multi-Units would degrade the property value.

Sincerely
Marilyn Turcotte
Greenlees Dr,
Kingston, ON K7K 6R5
Thank you for the notice.

Our only concern with this application is that street parking is not effected. With the unique nature of Greenlees Drive there is a large amount of thru traffic. Some on street parking can always be expected. Driveways should be sufficient length i.e. 7.0 m to allow full size vehicles off the street. Ideally there is space for two vehicle as that appears to be the norm in the neighbourhood.

The potential for increased lot coverage will create more stormwater run-off. Has the applicant clearly demonstrated that storm systems in the immediate area will not have negative impact?

Thanks

David and Marianne Thompson
I live at 145 Greenlees drive, directly across from the proposed houses and I have been here since 1990.

I writing in regards to the proposed by-law amendment (ZBA) 130-152 Greenlees drive.

I am against this proposal. I don't even want the houses that are being built there - regardless, my reasons are as follows:

1. I believe adding town homes will decrease my property value. The standard in this neighborhood always consisted of single- fully bricked homes and I'm not sure town homes will have the same standard or look.

2. the road was closed from highway 15 onto Greenlees drive to decrease traffic...adding town homes will again increase the traffic to this area...I live with a child who has an intellectual disability...it's concerning

3. more cars increase the carbon footprint to the neighborhood

4. there will be more cars parked on the street

5. I believe the reason for adding townhomes will be because they'll be easier to sell than the single family homes...given the single family homes are quite pricey.

6. I hate the fact that there is absolutely no green space left anymore, anywhere, on the west & east sides of highway 15

thankyou,

Carol Vanniedek