TO: Chair and Members of Planning Committee
FROM: Lanie Hurdle, Commissioner, Community Services
RESOURCE STAFF: Grant C. Bain, Director, Planning and Development Department
DATE OF MEETING: January 16, 2014
SUBJECT: PUBLIC MEETING REPORT
(File No. D14-052-2013)
218 University Avenue
Application for Zoning By-Law Amendment
Applicant: Rebekka Young
Agent: Sherman A. Hill

EXECUTIVE SUMMARY:
The purpose of this report is to provide general information regarding an application for Zoning By-Law Amendment which has been submitted by Sherman A. Hill, on behalf of Rebekka Young, with respect to 218 University Avenue.

The property is designated ‘Residential’ in the City of Kingston Official Plan and currently zoned ‘A’ One and Two Family in Zoning By-Law No. 8499. The subject property has a total area of 428 square metres and contains a single family dwelling house. The applicant proposes to convert to include a second dwelling unit by constructing an addition to the rear of the dwelling unit and renovate the existing structure. The proposal consists of two, 4 bedroom units with one occupying the second floor and the other occupying the ground floor. The applicant is requesting to rezone the property to reduce the minimum lot area requirement to permit a second unit.
AUTHORIZING SIGNATURES:

<table>
<thead>
<tr>
<th>ORIGINAL SIGNED BY COMMISSIONER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lanie Hurdle, Commissioner, Community Services</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gerard Hunt, Chief Administrative Officer</td>
</tr>
</tbody>
</table>

CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

<table>
<thead>
<tr>
<th>Commissioner</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cynthia Beach</td>
<td>Corporate &amp; Strategic Initiative</td>
</tr>
<tr>
<td>Denis Leger</td>
<td>Transportation, Facilities and Emergency Services</td>
</tr>
<tr>
<td>Jim Keech</td>
<td>President and CEO, Utilities Kingston</td>
</tr>
</tbody>
</table>

(N/R indicates consultation not required)
OPTIONS/DISCUSSION:
On October 29, 2013, a Zoning By-Law Amendment application was submitted by Sherman A. Hill for the purpose of amending the 'E' zone in Zoning By-Law No. 8499, in order to permit the construction of an addition to the rear of a single family dwelling and to add a second unit. The existing additions at the rear of the dwelling will be removed to accommodate the new two storey addition.

In accordance with By-Law No. 2007-43, a pre-consultation meeting between the applicant and various departments and agencies was conducted on December 6, 2012. On October 29, 2013, the Zoning By-Law Amendment application was deemed complete, in accordance with the Planning Act.

The subject property is located on the west side of University Avenue 18 metres to the corner of University Avenue and William Street and is municipally known as 218 University Avenue (see Exhibit A - Key Map). The site is 428 square metres in lot area with 9.75 metres of road frontage on University Avenue, containing a 2 storey single family dwelling with six (6) bedrooms.

The subject property is located in an area of residential and institutional uses. Residential surrounds the property to the north, east and west while within 300 metres to the south is the border of the Queens campus. Directly across the street to the east is a local convenience store.

The applicant is proposing to construct an addition and renovate the existing structure in order to allow for a second unit to be added. The proposal includes two four (4) bedroom units, with one occupying the ground floor and one occupying the second floor.

The application proposes to change the zoning to permit a reduced lot area in order to accommodate the second unit.

In support of the application, the applicant has submitted the following:
- Site Plan;
- Floor Plans;
- Proposed Building Section;
- Planning Justification Report;
- Servicing Brief;
- Grading Plan;
- Stage 2 Archaeological Assessment

Anyone who attends the Planning Committee public meeting may present an oral submission, and/or provide a written submission on the proposed amendment. 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 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 Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

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

Tim Fisher, Planner
The Corporation of the City of Kingston
216 Ontario Street
KINGSTON, Ontario, K7L 2Z3

Planning Committee will consider a comprehensive report and recommendation from the Planning and Development Department, respecting the subject application, at a future meeting. The Committee will make its recommendation to City Council at that meeting. The decision of City Council will be final unless appealed.

All persons who made oral or written submissions, or have requested notification in writing, will be given written notice of the future meeting(s) of Planning Committee at which the subject application will be considered.

EXISTING POLICY/BY-LAW:
The subject property is designated ‘Residential’ in the City of Kingston Official Plan (see Exhibit C - Existing Official Plan designation). The predominant use within the ‘Residential’ designation is residential dwellings, including detached, semi-detached or duplex dwellings, townhouses, and apartments. Uses that support residential neighbourhoods and are compatible with a residential setting are also permitted. The proposed development is consistent with the general purpose and intent of the Official Plan and therefore an amendment to the Official Plan is not required.

The site is currently zoned ‘E’ Special Education and Medical Uses in Zoning By-Law No. 8499. The uses permitted in the ‘E’ zone include universities and colleges, boarding houses and rooming houses, one and two family dwellings subject to the provisions of the ‘A’ zone, crisis care shelters, recovery homes and hospitals. The Zoning By-Law Amendment application is required to change the zone to a site specific ‘A’ zone as the proposal does not meet the minimum lot area requirement for a two unit dwelling.

In accordance with By-Law No. 2010-217, the site would not be subject to Site Plan Control.

NOTICE PROVISIONS:
Pursuant to the requirements of the Planning Act, a notice of the statutory Public Meeting was provided by advertisement in the form of a sign posted on the subject site 20 days in advance of
the Public Meeting. A “Notice of Public Meeting” regarding this application was also sent by first
class mail to all property owners within 120 metres of the subject property. There were
approximately 99 property owners notified by mail. In addition, a courtesy notice was published
in The Kingston Whig Standard.

At the time of the writing of this report, no inquiries or correspondence had been received. Any
submissions received will be addressed in the technical review and included in the
comprehensive report to a future Planning Committee meeting. This report was made available
to the public prior to the meeting.

ACCESSIBILITY CONSIDERATIONS:
Any accessibility concerns will be identified in the comprehensive report to a future Planning
Committee meeting.

FINANCIAL CONSIDERATIONS:
No financial implications are considered in this report.

CONTACTS:
Tim Fisher, Planner, Development Approvals, 613-546-4291, ext. 3215
Julie Salter-Keane, Manager, Development Approvals, 613-546-4291, ext. 1163
Grant C. Bain, Director, Planning & Development Department, 613-546-4291, ext. 3252

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
The application has been circulated to a number of internal departments and external agencies
for review and comment. The responses to the technical circulation will be addressed in the
technical review and included in the comprehensive report to a future Planning Committee
meeting.

EXHIBITS ATTACHED:
Exhibit A – Key Map;
Exhibit B – Site Plan and Floor Plans;
Exhibit C – Existing Official Plan designation;
Exhibit D – Existing Zoning;
Exhibit E – Planning Justification Report; and,
Exhibit F – Photographs.
SUBJECT LANDS: 218 University Ave  
Current Designation: Residential
THE CORPORATION OF THE CITY OF KINGSTON

EXISTING ZONING
Zoning By-Law: 8499, Map 30

Applicant: Rebekka Young
File Number: D14-052-2013
Address: 218 University Ave
Legal Description: PLAN A12 LOT 881 N PT B 309
ARN: 101102010004200

Subject Lands
218 University Ave
Zoning By-Law: 8499
Current Zone: E

Legend:
- Subject Lands

FOR REFERENCE PURPOSES ONLY
THIS IS AN OFFICE CONSOLIDATION. FOR ACCURATE REFERENCE THE ORIGINAL ZONING BY-LAW AND AMENDMENTS THERETO SHOULD BE CONSULTED AT 1211 JOHN COUNTER BLVD
I apply on behalf of the owner of this 2 1/2 storey brick dwelling, conveniently located adjacent to Queen's University; a residential use in Zone E. This Single Family Dwelling is currently being occupied by student tenants under long and short term rental agreements, supervised and managed by the owner.

The owner has previously applied for and obtained (COA-1.3489-97) a Minor Variance to allow for a Conversion of this Single Family Dwelling to a Two Family Dwelling (pending no increase of residential area). Conversion was not initiated at that time however, the quality, condition, restoration and improvement of this property has always been of the utmost importance to the owner. Our intent is to upgrade this dwelling, enhance this approval, to include additional and improved residential accommodation more suited to the evolving needs of the community.

It is our intent to seek Zoning Bylaw Amendment in order to utilize this large lot and increase the potential occupancy of this house. This reconstruction is compatible with each adjacent dwelling at this site as well as many residential units in the area so close to Queen's University.

Our proposal is to add a 2 storey extension to the rear of the building and create a separation between floors converting it to a 'Two Family Dwelling' with common front door, street access. This has been deemed more appropriate than simply increasing the number of bedrooms, which is possible within the limitations of the site, yet unfavourable on planning principles.

The house (c.1879) currently has 6 bedrooms complete with large common area, a kitchen and 2 full bathrooms. A long private drive provides parking and access along the side of the home. A comprehensive historical archaeological report accompanies this application as required.

The floor area added/ reconstructed will provide space to incorporate 2 units which will each have 4 bedrooms complete with large common area, eat-in kitchen and 2 full bathrooms. This shall be constructed on 2 floors, built in brick, with a service cellar to match the existing foundation/ construction. The current house is in fair condition.

The 2 dwellings next to this residence are larger, or have been enlarged, taking advantage of the old, large and deep city lots. It is our intent to increase the size of this dwelling to make the most viable and economical use of this property in the core of the city.

In order to facilitate this change approval is required to allow the reduction of required lot size/ area per unit as required in the zoning bylaw. The existing minimum side yard is also to be acknowledged and allowed to be extended.
Scope of the work:
This submission incorporates a revised design taking into account the Planning Department's preliminary review and concerns of the project at pre-consultation. We trust these changes provide a design of residential occupancy deemed suitable for development at this site.

The conversion encompasses the reconstruction of a Single 6 Bedroom Residence to a Duplexed (4 over 4) 8 Bedroom '2 Family Dwelling'. This will reduce the minimum lot area from 370.0 m$^2$ to 203.13 m$^2$ per dwelling unit (previously approved).

The proposed work is to remove (from the rear) a combined space on 2 floors of 664 ft$^2$ (61.7 m$^2$) with the addition in its place, on 2 floors, of 1496.4 ft$^2$ (139.01 m$^2$). This is attached to the existing renovated space on 2 floors of 1159.6 ft$^2$ (107.73 m$^2$). The result will be 2 units, one over the other, accessed through a common area front entry and each with equivalent design layouts 237.17 m$^2$ (2553.0 ft$^2$) and services. There shall be suitable amenity space as well as 1.5 baths in each unit. Two designated parking spaces will be accommodated in the rear yard as required. Appropriate fire separations and protections shall be installed as well as service upgrades as required and noted.

Please see the attached Revised Construction Plan (plans, elevations, construction details & plot plan) considered the best and most appropriate additions and reconstruction of this dwelling. The Plan shows the existing and proposed renovated dwelling on the dimensioned Residential Lot (Part Lot 881 Reg. Plan A-12 / City of Kingston) with 417.0 m$^2$ (4488.7 ft$^2$) area.

Reports:
- **Stage 2 Archaeological Assessment**, completed by S. M. Bazely, was undertaken due to the probability of artifacts being found as per the required Stage 1 Assessment. The Assessment and Approval have been received and copies have been submitted with this application.
  The Report concludes, respectively, that the proposed development may proceed without further investigation at this site.

- **Storm Water Management Brief and Serviceability Report**, completed by Josselyn Engineering Inc., reviewed the existing natural and built environment and services affecting the development of the subject property. The study concluded that service upgrades are required and shall be implemented.
  A Storm Water Management plan has been created and shall be implemented.
  Water service upgrades have also been proposed and shall be implemented.
  The Municipal services have been upgraded on University Ave. so shall be suitable to accommodate the upgrades proposed. The engineer has confirmed these specifications with the municipal engineering department.
  These documents shall be provided by the engineer once completed. I trust they will meet with the City's engineering department final approval.

- **Public Utility Services**: Ontario One Call planning request has been established and locates confirmed. Pre and Post development approvals and confirmations shall be provided as required.

829 Norwest Rd. Suite 1106 ♦ Kingston ♦ ON ♦ K7P 2N3 ♦ 613-541-9540
Planning and Design Principles & Guidelines:

Zoning By-law:
The subject property is currently zoned Educational 'E' deferring to 'A' Zone residential One and Two Family Dwellings are permitted in this City Zone governed by By-Law 8499. The site is presently occupied by a Single Family Dwelling. This Zoning Amendment application proposes a Two Family Dwelling, in an extended structure, which is permitted in this Zone.

Relief is required to decrease the lot area per unit to 203.13 m² due to the addition of floor area. The proposed two-unit dwelling is consistent with the nature of uses found in the area, which include a mix of single and multi-unit dwellings. The size and location of this property make it suitable for the intended use as there are several residences of similar massing adjacent to and surrounding this site. As well, other provisions of the zoning by-law (for 'A' Zone) are met without deviation, which include enhanced amenity space and the required parking.

Official Plan:
Compatibility (2.7.1): This Section of the Official Plan does encourage "similar" developments, including varied architectural styles, massing and heights, provided that any adverse impacts are moderated. In our view, the proposed type, scale and style of development is compatible with the varied scales and styles of development in the area, particularly given that the view from the street of the original brick dwelling will remain unchanged, except to be restored.

Adverse Effects (Section 2.7.3): No significant adverse shadow effects are anticipated as the enlarged building will have minimal to no impact on shadowing of relevant neighbouring surfaces. There is no anticipated loss of privacy to occur as views shall not be changed. Intrusive points of view are not anticipated as existing setbacks are being maintained. No negative impacts are anticipated from noise as interior areas are better designed and insulated and exterior areas are enhanced and upgraded with new fencing and landscaping installed.

Traffic impacts are anticipated to be the same or lessened with no significant increase in vehicular traffic. Pedestrian and bicycle traffic has been enhanced along University corridor. Appropriate servicing is to be provided with recent Municipal services upgrade completed (Storm Water, Sewer and Water service). No reduction in ability to enjoy property is anticipated. The design complements and enhances streetscape; the Street Front shall not change but to be restored and repaired so no negative impacts are anticipated.

Functional Needs (Section 2.7.7): The scale, massing, and density are appropriate for site consistent with other two family residential dwellings in the area. The proposed landscaping is consistent with urban setting; surface water management upgrade is included. Water, sewer, storm services are available, recent upgraded (see Service Reports included). Multiple transit routes are on University, Brock and Princess Streets while bike lanes have been introduced. The site is walking distance to Queens, Downtown Kingston and the Hub. Clearly defined vehicular and pedestrian site entry, gravel parking areas and building entry points are maintained and restored (no change to common entry). No reduction in the Functionality and Serviceability of the site is anticipated.
Provincial Policy Statement (PPS):
The Provincial Policy Statement encourages efficient, cost effective development and patterns of land use which stimulate economic growth and protect the environment and public health. It also encourages land use patterns that accommodate an appropriate range and mix of residential uses in a manner that supports intensification of development in already serviced areas. The proposed ‘two family dwelling’ represents infill and redevelopment in an area where adequate municipal services are available. The proposed development is consistent with the Policies of the PPS.

Summary:

It is our opinion and intention that this construction shall result in an appropriate, well suited Two Family Dwelling in the Residential core of the City and University establishments. The Plan is consistent with design and construction standards currently established and in force in the City of Kingston and the Province of Ontario.

As shown, the Zoning By-Law Amendment is compatible with the design and development principles as outlined in the Provincial Policy Statement, the City of Kingston’s Official Plan and related Zoning By-Laws. We propose that this project represents good planning.

We trust this is an appropriate development for the site and the City of Kingston and request Approval of this Application for a Zoning Amendment.