



**2429 & 2413 Perth Road
1547 Unity Road**

Planning Justification
Zoning By-law Amendment
November 12, 2020



Prepared for 1949586 Ontario Inc.

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1.0 Introduction

1.1 Introduction

Fotenn Planning + Design has been retained by 1949586 Ontario Inc. to prepare a Planning Justification Report in support of an application for zoning by-law amendment. The application applies to three (3) parcels located at 1547 Unity Road, 2429 Perth Road and 2413 Perth Road in the City of Kingston. The intent of the application is to permit a mixed-use development containing a variety of commercial uses, and four (4) accessory dwelling units above one of the new commercial buildings.

The subject lands are designated Hamlet and Environmental Protection Area on Schedule 3-B Land Use in the City of Kingston's Official Plan. The property is zoned Restricted Agricultural Zone (A1), Residential Type 1 Zone (R1), General Commercial Zone (C2) and Open Space (OS) in the Township of Kingston Zoning By-law 72-26. The proposed zoning by-law amendment will apply a unified zoning across the three properties.

Technical studies undertaken as a result of the proposed development include a Stage 1 & 2 Archaeological Assessment, a Hydrogeological Study, a Noise Impact Feasibility Report, a Stormwater Management Report, a Tree Inventory, and a Servicing Report. These studies describe the technical requirements for the redevelopment of the site as well as any mitigation measures necessary to address potential adverse effects.

A pre-application report was issued by City of Kingston staff dated July 27, 2018 which identified the application requirements. Accordingly, the following are submitted in support of the application:

- / Survey, prepared by Hopkins Chitty Land Surveyors, dated September 11, 2020;
- / Conceptual Site Plan, prepared by Fotenn Consultants Inc, dated November 1, 2019;
- / Floor Plans prepared by Wren Design Studio, dated November 14, 2019;
- / Elevations, prepared by Wren Design Studio, dated November 14, 2019;
- / Renderings, prepared by Wren Design Studio, dated
- / Serviceability Report, prepared by Profound Engineering, dated May 14, 2020;
- / Stormwater Management Report, prepared by Profound Engineering, dated November 5, 2019
- / Tree Inventory Study, prepared by AbreCare Tree Service, dated April 8, 2020;
- / Hydrogeology Study, prepared by Profound Engineering, dated October 9, 2019;
- / Noise/Vibration Study, prepared by Pinchin, dated August 25, 2020;
- / Stage 1 & 2 Archaeological Assessment, prepared by Adam's Heritage, dated October 29, 2018;
- / Archaeological Clearance, Ministry of Tourism Culture and Sport, dated November 16, 2018;
- / Application fees;
- / Application forms as completed in the City's online Development and Services Hub (DASH); and
- / This Planning Justification Report.

The purpose of this report is to assess the appropriateness of the proposed development and the requested amendments in the context of the surrounding community and policy and regulatory framework applicable to the property.

1.2 Development Application

The subject lands are designated Hamlet and Environmental Protection Area on Schedule 3-B Land Use in The City of Kingston's Official Plan. The property is zoned Restricted Agricultural Zone (A1), Residential Type 1 Zone (R1), General Commercial Zone (C2) and Open Space (OS) in the Township of Kingston Zoning By-law 72-26. Therefore, a zoning by-law amendment is required to permit the proposed uses and establish unified zoning across the subject lands. A Special General Commercial Zone (C2-XX) is proposed to permit the proposed uses and describe appropriate performance standards for the proposed development.

A future application for Site Plan Control will be required.

Surrounding Area and Site Context

The subject lands are located in the Hamlet of Glenburnie, in the southwest corner of the intersection of Unity Road and Perth Road. Three parcels combine to form the subject lands, for a total site area of approximately 8.25 hectares, approximately 69.6 metres of frontage on Unity Road and 353.3 metres of frontage on Perth Road. The subject lands are currently developed with several structures including a residential dwelling, a former schoolhouse and a commercial establishment. The remainder of the site is primarily characterized by open fields and wooded areas. There are two existing drainage channels which run through the northern and southern limits of the site. The subject lands are currently accessible from five vehicular entrances. Two entrances are provided from Unity Road and three entrances are provided from Perth Road. A review of the parcels that form the subject lands is provided in the table below.

Parcel	Municipal Address	Site Characteristics
1	1547 Unity Road	<ul style="list-style-type: none"> Occupied by a former schoolhouse. Two entrances provided from Unity Road.
2	2413 Perth Road	<ul style="list-style-type: none"> Occupied by a single-detached dwelling. One entrance from Perth Road
3	2429 Perth Road	<ul style="list-style-type: none"> Occupied by a commercial establishment, Trudeau Trailers, located at the intersection of Perth Road and Unity Road. Two entrances from Perth Road.



Figure 1: Neighbourhood Context (Base Image Source: Kingston K-Maps)

The surrounding area contains a mix of rural residential, commercial, open space and agricultural uses. To the north and west of the site, rural residential uses extend along Unity Road. Lands to the east contain a mix of commercial, open space and industrial uses. The site is in proximity to Shannon Corners Park, Glenburnie Grocery and the Glenburnie convenience store. The lands to the west are primarily utilized for agricultural purposes with sporadic instances of residential use extending along Perth Road.



Figure 2: Subject Lands (Base Image Source: KMAPS)

The following land uses are located in proximity to the subject site:

North: Residential, Commercial

East: Commercial, Open Space and Industrial

South: Agricultural

West: Residential, Agricultural

2.1 Development Proposal

The proposed development will provide four accessory dwellings and a variety of commercial uses within the Hamlet of Glenburnie. The proposed commercial development includes an enlarged building on Unity Road and a new building on Perth road roughly at the location of the existing house. Commercial units could include a wide variety of uses such as a health club, a clinic or an office. To the rear of the Unity Road property a self- service storage facility is proposed. Four accessory dwellings are proposed to be located on the upper floor of the proposed commercial space on Perth Road, further contributing to the range and supply of housing within the Hamlet. The space at the corner occupied by Trudeau Trailers will largely remain the same with opportunity to improve their display area. The proposed development incorporates high quality building materials and is designed to complement the existing rural character of the surrounding area. The proposed development will work to support the continued vitality of the Hamlet providing increased access to amenities, housing types and employment opportunities within the Hamlet.

A conceptual site plan is provided in Figure 3 below.

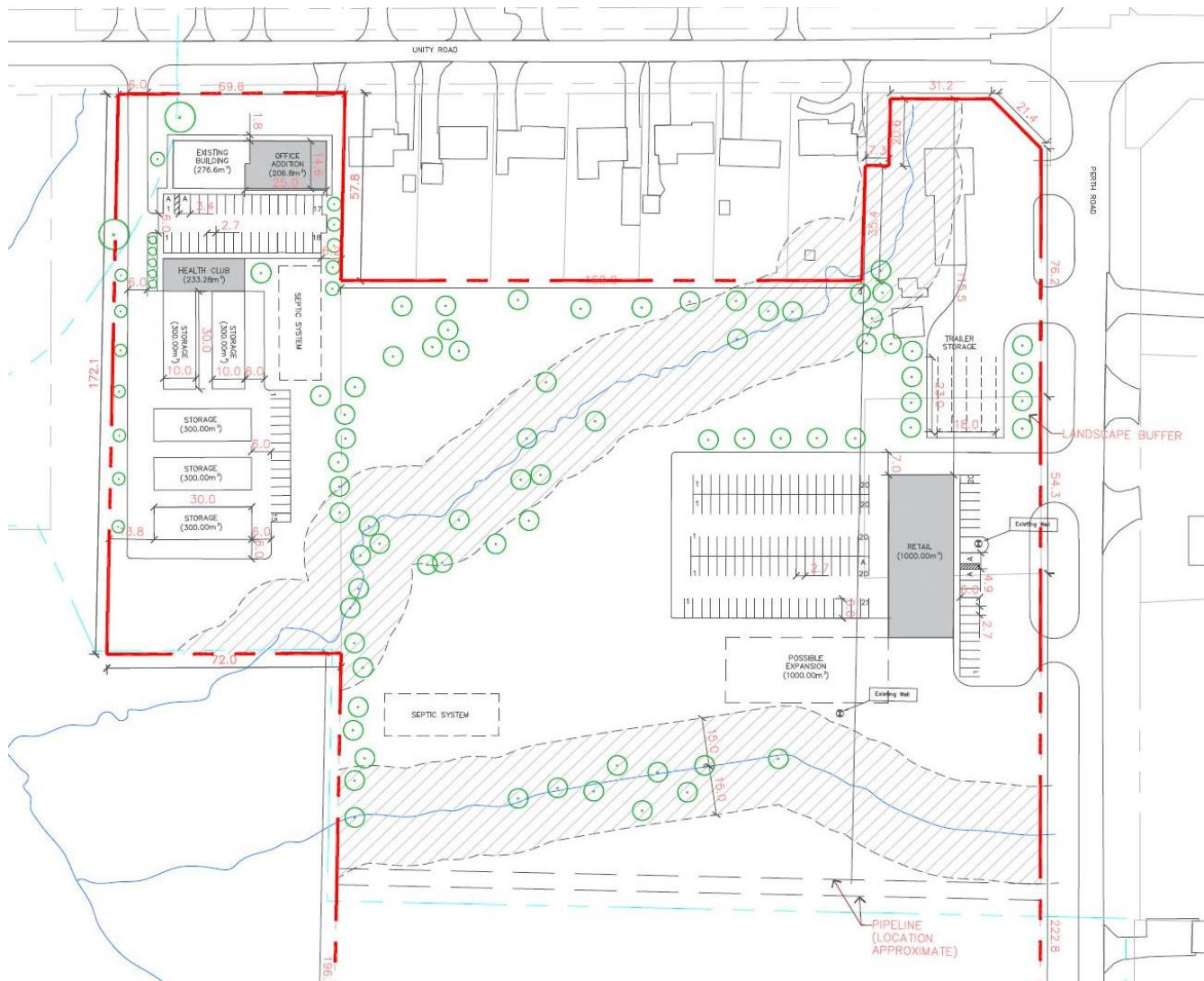


Figure 3: Conceptual Site Plan (Source: Fotenn Planning + Design)

Commercial & Residential Development

The figures below show the proposed new structure on Perth Road, proposed to accommodate commercial and residential uses. The ground floor will contain four (4) commercial spaces, with a total area of approximately 968.1 square metres. The upper floor will contain a mix of accessory dwellings and commercial space. The proposed accessory dwellings will contain two 1-bedroom units and two 2-bedrooms units, contributing to the mix of housing within the Hamlet. The units will range in size, with the smallest unit being 79.8 square metres and the largest unit being 102.9 square metres. The upper floor will also contain four commercial units totaling 382.2 square metres. Site access will be provided from two entrances by way of Perth Road. Parking is primarily provided to the rear of the building, with limited spaces located at the front of the building to improve accessibility to the storefronts. Conceptual renderings of the proposed development are provided in the Figures below. These renders provide a visual representation of how the proposed development has been designed to complement the surrounding rural context, including dormers, a covered front porch, large windows and natural building materials.



Figure 4: Front - proposed retail development with upper floor accessory dwellings (Source: Wren Design Studio)



Figure 5: Rear - proposed retail development with upper floor accessory dwellings (Source: Wren Design Studio)

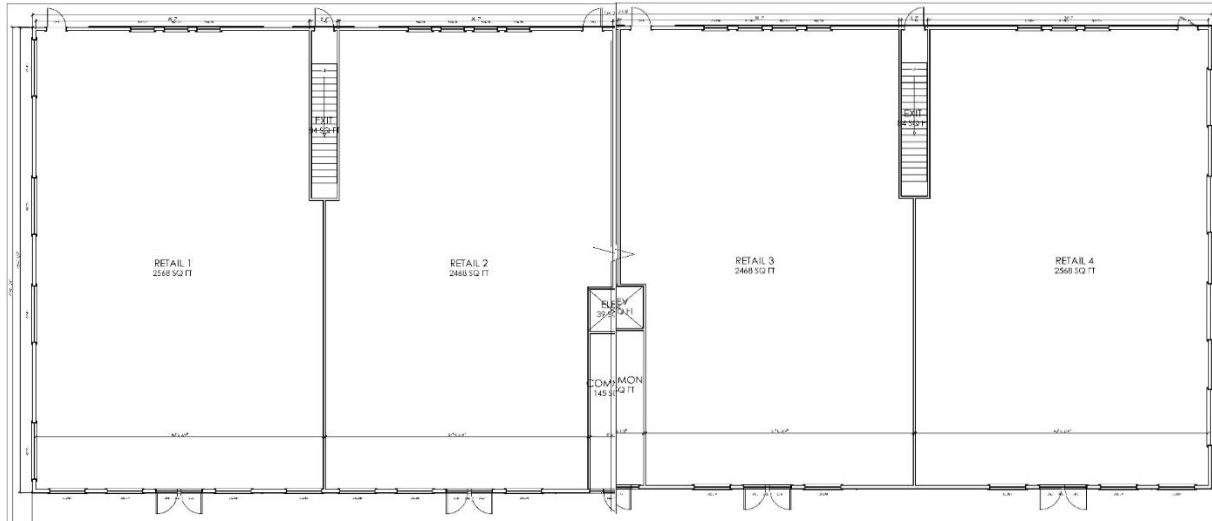


Figure 6: Floor Plans – Ground Floor Retail Units (Source: Wren Design Studio)

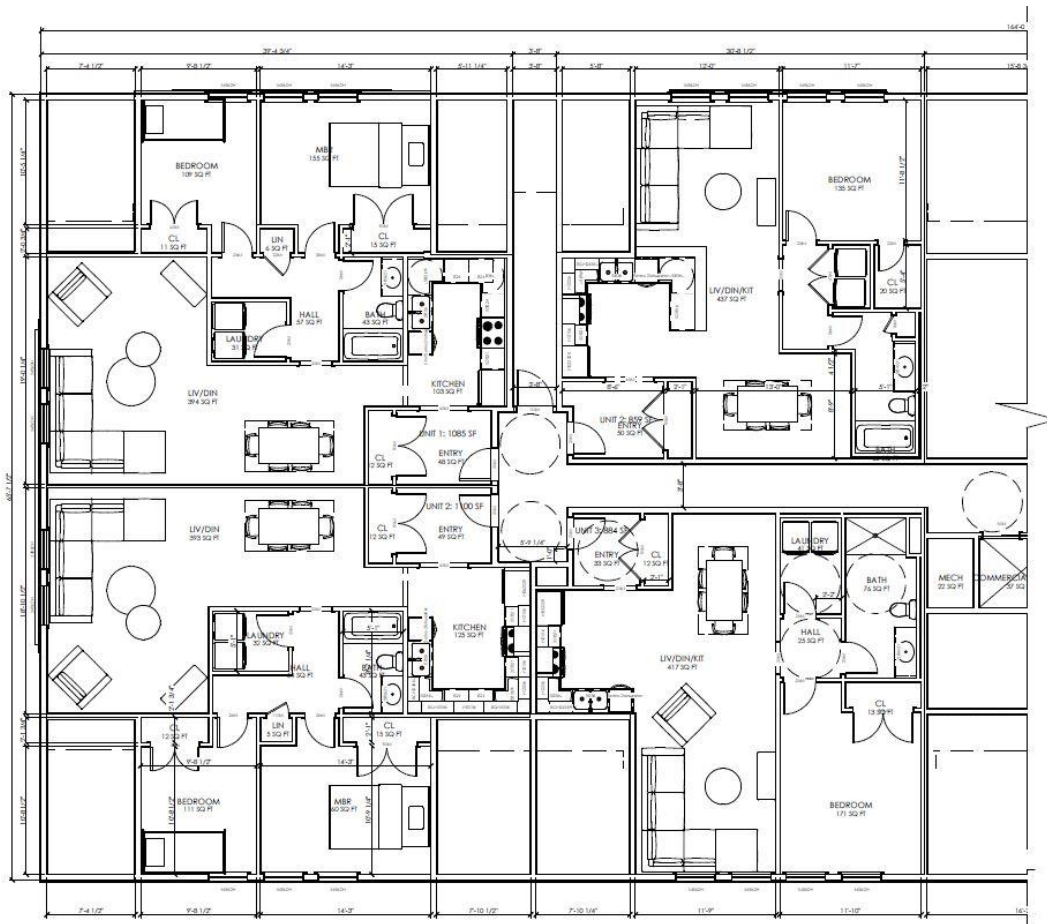


Figure 7: Floor Plans – 2nd Floor Accessory Dwellings (Source: Wren Design Studios)

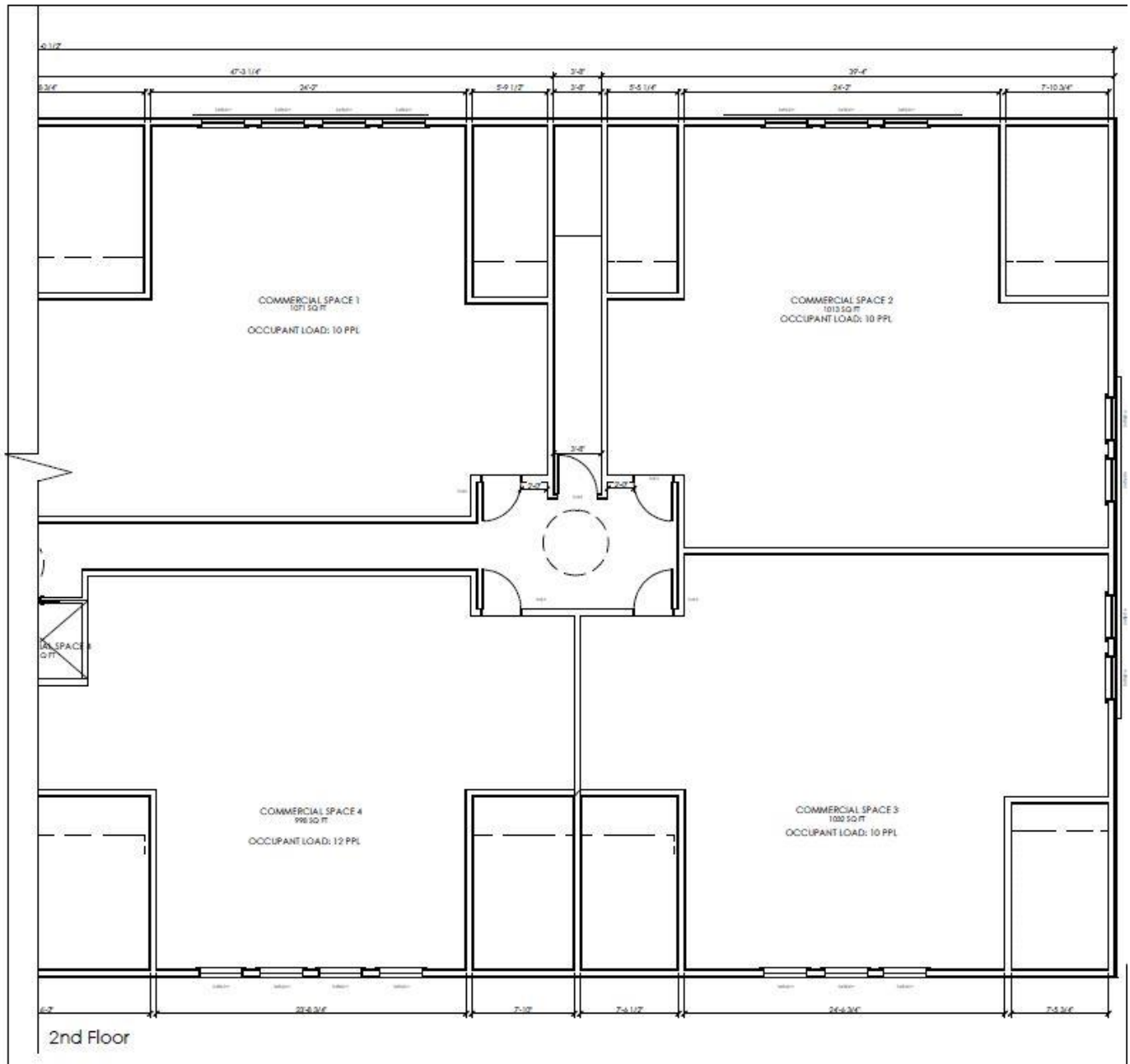


Figure 8: Floor Plans - 2nd Floor Commercial Units (Source: Wren Design Studio)

Office Space

The former schoolhouse located at 1547 Unity Road will be expanded and redeveloped to provide 483.4 square metres of commercial space. A 206.8 square metre addition will be constructed along the east elevation of the existing schoolhouse. Parking will be provided to the rear of the building to maintain the existing streetscape along Unity Road and complement the existing rural character. Site access is proposed to remain from the existing entrance located to the west of site. The existing entrance to the east of the site will be removed to accommodate the proposed addition. A rendering of the proposed development is provided in Figure 9 below, detailing the wood columns, large windows and selection of natural building materials integrated into the building design to complement the existing structure and surrounding built form.



Figure 9: Proposed Office Space (Source: Wren Design Studio)

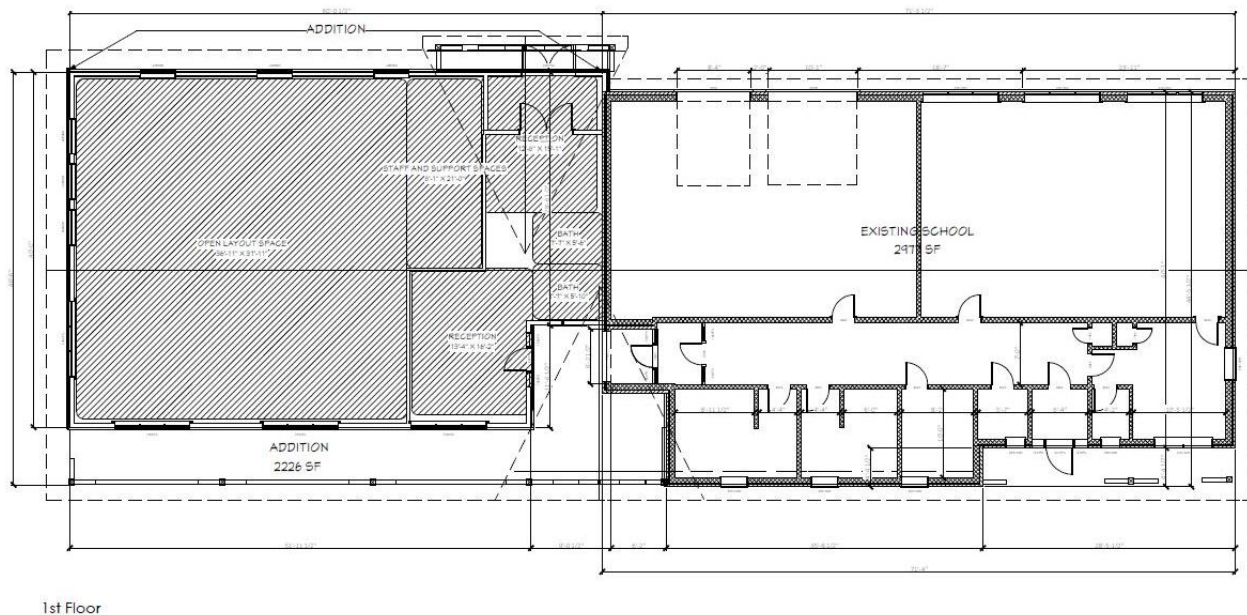


Figure 10: Floor Plans – Office (Source: Wren Design Studio)



Figure 11: Elevations – Office Space (Source: Wren Design Studio)

Health Club + Self- Service Storage Facility

New buildings are proposed behind the office space at 1547 Unity Road. The main building is proposed to provide a 339.8 square metre health club. The health club has been designed to emulate a modern barn, in keeping with the rural nature of the proposed development. The ground floor will contain 233.3 square metres of floor space and the upper floor will provide an additional 106.5 square metres of space for the health club. 35 self-service storage units are proposed to be attached to the rear of the health club. The self-service storage facility is located to the rear of the building to provide a visual screen from Unity Road. Each unit will have an area of approximately 38.6 square metres. The proposed self-service storage units have been designed to complement the existing rural character, as demonstrated in the renderings provided in Figures 12 and 13 below.



Figure 12: Proposed Health Club (Source: Wren Design Studio)



Figure 13: Proposed Self-Service Storage Facility (Source: Wren Design Studio)

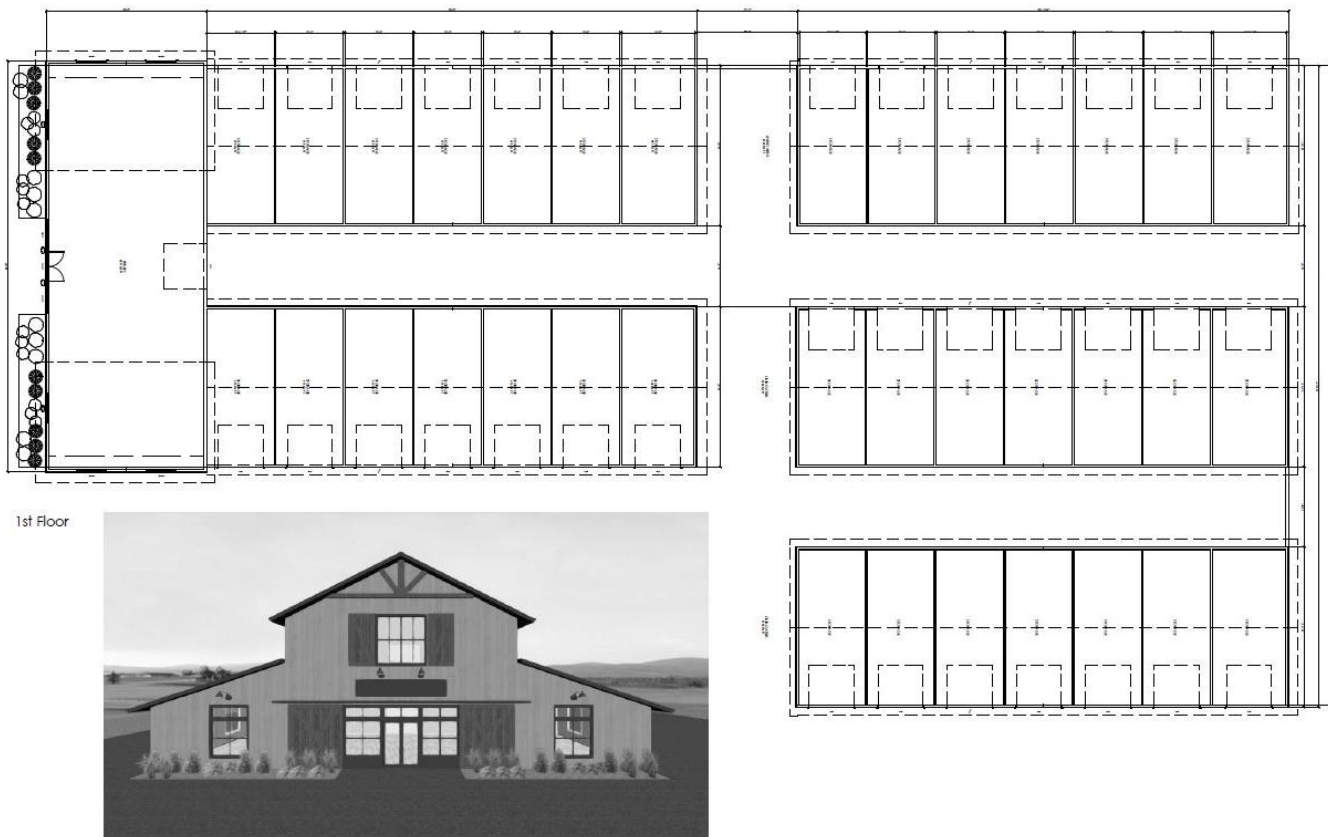


Figure 14: Floor Plans – 1st Floor Health Club + Storage Units (Source: Wren Design Studio)

3.0 Supporting Studies

At the pre-application meeting, City of Kingston Staff identified that the following studies were necessary to support the proposed zoning by-law amendment.

3.1 Servicing Report

A Servicing Report was prepared by Profound Engineering to assess the servicing requirements of the proposed development. To assess the groundwater supply, Profound Engineering completed comprehensive hydrogeological investigations. In general, the investigations demonstrated that there is an adequate water supply in terms of both quantity and quality to meet the needs of the proposed development. No significant impacts on neighbouring groundwater supplies are anticipated. The report demonstrated that sufficient land area is available for a Class-4 wastewater treatment system, and the estimated average daily flow (0.7 m³/d) falls under the jurisdiction of the Kingston, Frontenac, Lennox and Addington Health Unit (KFL&A). No issues are anticipated with respect to wastewater servicing for the proposed development.

Profound Engineering completed comprehensive stormwater management plans for both development sites (Profound 2019). These investigations followed recommendations provided by the Cataraqui Region Conservation Authority (CRCA) and addressed full stormwater quantity control. In all cases, the stormwater management plan options demonstrated that post-development flows will be comparable to pre-development flows for Return Periods ranging from 2 to 100-years.

HydroOne was contacted to establish if electrical servicing of each development is possible. HydroOne's assessment indicated that three-phase power lines and 44kV servicing is readily available adjacent to both 1547 Unity Road and 2413 Perth Road and no concerns with respect to electrical servicing at each site is anticipated.

Enbridge Gas was contacted to establish if sufficient natural gas capacity is available for each development site. Applying an estimated natural gas demand developed by Donaldson Plumbing and Heating of 900,000 BTU's for 1547 Unity Road and 2,700,000 BTU's for 2413 Perth Road, Enbridge Gas have indicated that sufficient capacity is available for servicing each development.

In summary, based on recent engineering investigations completed by Profound Engineering, reviews by local utilities, and preliminary designs completed by Waterloo Biofilter, no constraints or limitations on servicing for water supply, wastewater treatment, stormwater management, electrical utilities, and natural gas supply are anticipated for the proposed development.

3.2 Stormwater Management Report

A Stormwater Management Report was prepared by Profound Engineering dated October 2019. The report reviews and recommends stormwater quantity and quality controls. For each development site, two stormwater plan options were developed. Option 1 emphasizes low impact development measures and Option 2 provides a more conventional stormwater management solution, including elements of low-impact development. Post-development runoff can be readily managed by low-impact development measures, such as porous pavement and bio-retention swale. It is recommended the final design of the ultimate stormwater management measures be completed once the final design and layout of all post development features are complete.

3.3 Hydrogeological Assessment

A Hydrogeological Assessment was prepared by Profound Engineering to demonstrate that adequate groundwater supply is available to support the anticipated water demands associated with the proposed development. In general, the well water supply is more than adequate, in terms of both quantity and quality, to supply the proposed future land uses. Based on an analysis of the results of the 6-hour pumping tests, the

estimated safe yield for 2413 Perth Road is in excess of 43,200 L/day compared to a required 14,240 L/day, while the estimated safe yield for 1547 Unity Road is in excess of 22,750 L/day compared to a required 700 L/day. Both water supplies were acceptable in terms of water quality, and no significant impacts on neighbouring groundwater supplies are anticipated.

3.4 Noise Impact Study

A noise impact study was conducted by Pinchin to evaluate the feasibility of the proposed development in terms of satisfying the Ministry of the Environment, Conservation, and Parks (MECP) noise criteria and the City of Kingston Noise Bylaw (2004-52). A detailed noise assessment of the proposed development was completed by modelling the noise impacts of the significant noise sources and road traffic at selected receptor locations on the development. The assessment shows that the predicted noise impacts from the stationary sources and emergency equipment on the development and from the development equipment on the nearby noise sensitive receptors all meet the NPC-300 criteria for Class 2 Areas. The predicted noise impacts from road traffic on the development are in the range requiring the provision for the installation of central air conditioning, at the discretion of the occupants. Warning Clause Type C is also required.

3.5 Stage 1 & 2 Archaeological Assessment

A Stage 1 and 2 Archaeological Assessment was prepared by Adam's Heritage dated October, 2018. The work discussed in this report includes a review of the historical context, previous archaeological investigations in the area and the geography of the site. The Stage 1 assessment indicated portions of the subject property were identified as having some potential for pre and post Contact First Nations archaeological sites, and some potential for historic Euro-Canadian archaeological sites. These findings necessitated the Stage 2 assessment. Stage 2 testing was conducted through surface survey on the majority of the property. Where surface survey was impractical, test pit survey was conducted. No evidence of archaeological sites was encountered, and no artifacts were found. The report recommends that no further archaeological assessment of the property is required and clearance of any archaeological concerns. If during the process of development any undetected archaeological resources or human remains of potential Aboriginal interest are encountered, the Mohawks of the Bay of Quinte Offices will be contacted immediately. The site has received archaeological clearance from the Ministry of Tourism, Culture and Sport.

3.6 Tree Inventory Study

A tree inventory study was prepared by ArbreCare Tree Service. A site visit was completed on April 5, 2020 to evaluate the trees on the subject site. The following tree species were identified on the subject site, with tree conditions ranging from good to poor:

- Blue spruce (*Picea pungens*)
- Large tooth aspen (*Populus angustifolia*)
- Norway maple (*Acer plantanoides*)
- White cedar (*Thuja occidentalis*)
- Crab apple (*Malus coronaria*)
- Bur oak (*Bur oak*)
- White oak (*Quercus alba*)
- Black cherry (*Prunus serotina*)
- White elm (*Ulmus americana*)
- Manitoba maple (*Acer negundo*)
- Apple sp. (*Malus sp.*)

A tree preservation study will follow as the development progresses through the site plan control process.

Policy and Regulatory Framework

4.1 Provincial Policy Statement, 2020

The 2020 Provincial Policy Statement (PPS) came into effect on May 1, 2020. The 2020 PPS provides high-level land use policy direction on matters of Provincial Interest as they relate to land use planning and development in Ontario municipalities. Decisions of municipal councils must be consistent with the PPS, which provides direction for issues such as the efficient use of land and infrastructure, the protection of natural and cultural heritage resources, maintaining a housing stock that appropriately addresses the demographic and economic diversity of households, supporting long-term economic prosperity, and preserving natural resources for future uses. PPS policies that are directly relevant to the proposed development are discussed below, with the policy cited in *italics*:

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*

The proposed development represents the efficient use of the currently under-utilized subject lands, located within the Hamlet of Glenburnie. The proposed development provides a mix of commercial and residential development, contributing to the continued vitality of the Hamlet.

- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

The proposed development provides a variety of commercial and residential uses, contributing to the range of amenities and housing available in the Hamlet.

- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*

The proposed site layout is considerate of the site's environmental features. All development will be adequately setback from the streams which flow through the subject site. Through the implementation of the mitigation measures recommended through the supporting studies, potential risks to public health and safety will be mitigated.

- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*

The proposed development is located within the Glenburnie Settlement Area. Infill of under-utilized lands within the Settlement Area mitigates the need to expand the settlement area unnecessarily.

- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

The proposed development represents appropriate infill of under-utilized lands within the Glenburnie settlement area. Infill of under-utilized lands within the settlement area mitigates the need to expand the settlement area unnecessarily, making use of existing rural infrastructure and minimizing land consumption. The proposed development will be constructed on private services and costs will not be borne by the municipality in this regard.

- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*

A Servicing Report was prepared to assess the servicing requirements of the proposed development. The proposed private services will adequately address the water and wastewater needs of the proposed development.

- h) promoting development and land use patterns that conserve biodiversity; and*

The proposed development makes efficient use of an existing, underutilized parcel within the Settlement Area. Redevelopment and intensification of these lands will more efficiently use available land and infrastructure within

the settlement boundary and preserves the biodiversity of the rural lands surrounding the Hamlet. A portion of the subject site is proposed to remain undeveloped.

i) preparing for the regional and local impacts of a changing climate.

The proposed mixed-use development will introduce a variety of commercial and residential uses on an existing parcel, increasing surrounding residents' access to amenities and reducing the number of required vehicle trips.

1.1.3.1 Settlement areas shall be the focus of growth and development.

The subject site is located within the Glenburnie Settlement Area, where growth and development are to be directed.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) are freight-supportive*

The proposed development contains a mix of commercial and residential uses in an efficient site layout. The subject lands represent an under-utilized site within the settlement area. Redevelopment and intensification of these lands will more efficiently use available land and infrastructure within the settlement area. The proposed development incorporates a vacant former institutional building, to be repurposed for commercial use. A possible future road connection will link the proposed development, encouraging the use of active transportation modes. There is currently no public transit service in the area.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The proposed development will contribute to the range of housing options in the Hamlet. Servicing for the proposed development will be provided on-site, in keeping with the nature of development in the surrounding area. The proposed development will expand and repurpose a former schoolhouse for commercial use, efficiently utilizing the existing building stock. The proposed development will be adequately accommodated by existing rural infrastructure and public service facilities in the surrounding area.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The proposed redevelopment represents the infill of under-utilized lands. The proposed site layout is considerate of nearby natural features and environmental constraints. Through the implementation of the provided mitigation measures, no negative impacts to public health and safety are anticipated.

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The proposed development consists of a mix of residential and commercial uses. Redevelopment of under-utilized lands at this location will allow for a more efficient use of land and existing municipal infrastructure within the settlement area.

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

a) building upon rural character, and leveraging rural amenities and assets;

The proposed mixed-use development provides an appropriate scale given the rural context of the subject site. The proposed building designs utilize high quality building materials that are considerate of the existing rural character.

c) accommodating an appropriate range and mix of housing in rural settlement areas;

The proposed development provides four (4) accessory dwelling units, contributing to the mix of housing in the settlement area.

d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;

The proposed development will effectively expand and repurpose a former schoolhouse for commercial use. The design of the new construction will complement the rural nature of the site.

e) using rural infrastructure and public service facilities efficiently;

All necessary servicing requirements will be provided on-site.

f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;

The proposed development will diversify the economic base of the hamlet through the inclusion of a variety of commercial uses.

h) conserving biodiversity and considering the ecological benefits provided by nature; and

The subject site includes two agricultural drains. The channels will be protected by a 15.0 metre setback. Mature vegetation will be maintained on site, where possible.

1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

The proposed development provides a range of commercial and residential uses to the settlement area, contributing to the Hamlet's continued vitality.

1.1.4.3 When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

The proposed development provides an appropriate scale given the rural nature of the proposed development. Adequate servicing will be provided on-site, as demonstrated by the Servicing Report. The proposed building designs incorporate high-quality building materials that are complementary to the existing rural character.

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

b) permitting and facilitating:

- 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
- 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

The proposed development represents intensification of an under-utilized site within a settlement area. The development will provide four (4) accessory dwellings, contributing to the range of housing within the Hamlet. The proposed intensification is appropriate for the site's rural context and will efficiently use existing municipal infrastructure, where available.

1.6.6.1 Planning for sewage and water services shall:

- a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:

 - 1. municipal sewage services and municipal water services; and*
 - 2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;**
- b) ensure that these systems are provided in a manner that:

 - 1. can be sustained by the water resources upon which such services rely;*
 - 2. prepares for the impacts of a changing climate;*
 - 3. is feasible and financially viable over their lifecycle; and*
 - 4. protects human health and safety, and the natural environment;**
- c) promote water conservation and water use efficiency;*
- d) integrate servicing and land use considerations at all stages of the planning process; and*
- e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.*

The proposed development will be serviced by private water and sewage services, in keeping with development in the surrounding area. The proposed servicing will adequately meet the needs of the development, as demonstrated by the supporting technical studies, including a Servicing Report and a Hydrogeological Report.

1.6.6.3 Where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

The proposed development will be serviced on site, in keeping with the nature of development in the surrounding area. The proposed private communal water and sewage services adequately meet the needs of the proposed development as demonstrated by the Servicing Report prepared in support of the proposed development.

Section 2 of the PPS deals with wise use and management of resources such as significant natural heritage features and areas, watersheds, prime agricultural areas, mineral and petroleum resources, and significant built and cultural heritage. There are no identified cultural heritage features in proximity to the subject site. There are two drainage channels on the subject site. Appropriate setbacks have been incorporated into the site design and no development is proposed within the provided setbacks.

Section 3 of the PPS seeks to ensure the protection of public health and safety. The policies in this section direct development away from natural hazard lands such as floodplains and erosion-prone areas. This section also seeks to protect development from human-made hazards such as former mining and aggregate extraction operations, and other types of contaminated areas. On-site safety is supported by a logical site plan that has been developed in accordance with the intent of the Official Plan and which will be regulated through the zoning by-law. No negative impacts are anticipated in regard to public health and safety.

It is our professional planning opinion that the proposed development is consistent with the 2020 Provincial Policy Statement.

4.2 City of Kingston Official Plan

The City of Kingston's Official Plan describes goals, policies and objectives intended to guide the City's development over the planning horizon identified in the plan. The Official Plan was updated following the Ministry of Municipal Affairs' Approval of Official Plan Amendment (OPA) 50, which went into effect on August 29, 2017. The November 1, 2019 consolidation of the Official Plan is the most readily available version on the City's website.

The following sections of the OP are reviewed in relation to the proposed zoning:

- / Section 2: Strategic Policy Direction;
- / Section 3: Land Use Designations and Policy;
- / Section 4: Infrastructure and Transportation;
- / Section 8: Urban Design; and
- / Section 9: Administration and Implementation.

Section 2: Strategic Policy Direction

Section 2 of the Official Plan provides broad direction for the growth of different areas of the City. Section 2.1 outlines the City's goal with respect to sustainable development. The goal is multi-layered and includes considerations for built form and land use compatibility, efficient land consumption, reduction of greenhouse gas emissions, use of cultural heritage resources to benefit the public good, limit undue extension of infrastructure, reduce the use of private automobiles, fostering sustainable food sourcing and promotion of programs and practices that increase sustainable development. Section 2.1 describes a wide range of high-level policies intended to support the stated goal above.

Schedule 2 identifies the City Structure in terms of strategic land use intent. The subject site is located within the Rural Areas designation on Schedule 2. Section 2.1.2 sets out the policies and intent for Rural Lands; noting that growth in these areas will be limited and that natural assets, functions and occupations that contribute to the general sustainability of the City.

Section 2.1: Sustainable Development

Section 2.1 establishes a vision for the City. Strategies to attain sustainability of development are outlined, with the objective of promoting sustainability across Kingston.

Section 2.1.2 – Within Rural Areas, as shown on Schedule 2, growth will be limited and the natural assets, functions, and occupations that contribute to the general sustainability of the City as a whole will be supported through:

a) the protection of groundwater sources;

The proposed development will be serviced on-site. A sewage treatment system will also be installed on each property, which will treat sewage on-site in accordance with provincial requirements. A Hydrogeological Report was prepared for the proposed development. No negative impacts are anticipated to existing wells in the surrounding areas.

b) an ecosystem approach to protecting the natural heritage system;

There are two drainage channels on the subject site. Appropriate setbacks have been incorporated into the site design and no development is proposed within the provided setbacks.

c) the protection of surface water features, including inland lakes and rivers, Lake Ontario and the St. Lawrence River;

There are no nearby surface water features, such as lakes or rivers, which may be impacted by this development.

- d) *the extraction of mineral resources and the rehabilitation of depleted mineral mining operation sites, which must occur in a manner that is sensitive to the existing uses in the general area and in accordance with appropriate provincial legislation;*

The proposed development will not involve the extraction of mineral resources or the rehabilitation of depleted mineral mining operation sites.

- e) *limiting the types of permitted development to those that support and are compatible with a resource based local economy and sustainable practices; and*

The proposed development is designed to integrate with and complement the surrounding rural and agricultural area. The proposed development will contribute to the supply of commercial amenities and housing available to the Hamlet.

Section 2.2: City Structure

Section 2.2 outlines the structural elements of the City, as shown on Schedule 2.

Section 2.2.14 – Rural Areas are comprised of a mix of land uses that support a diversification of the economic base, housing, and employment opportunities. These areas are comprised of lands protected for agricultural uses and agricultural-related uses, being designated Prime Agricultural Area or Rural Lands, as appropriate. Rural Areas also contain natural heritage features, many of which fall within the Environmental Protection Area and Open Space designations, as well as natural resources, designated Mineral Resource Area. The protection of the area's natural features will help to conserve biodiversity while maintaining water quality and the ecological benefits provided by nature. Lands designated Rural Commercial and Rural Industrial also support the rural economy within Rural Areas. These lands are distinct from rural settlement areas, designated Hamlets, which accommodate a mix of land uses that also support the rural community. The Estate Residential designation captures limited areas of residential land use in Rural Areas.

The proposed mixed-use development contains 4 residential units and a variety of commercial uses including office space, a health club, self-service storage facility, and retail uses. The proposed uses will support the economic diversification of the rural area and generate new employment opportunities. The proposed development will contribute to the continued vitality of the Hamlet.

Section 2.3: Principles of Growth

Section 2.3 describes the Principles of Growth for the City through 2036. Policy direction is provided for compatible forms of intensification, infrastructure use, land consumption, public transit, pollution, and sustainable growth in the City.

Section 2.3.12 – The planning for the lands shown as Rural Areas on Schedule 2 of this Plan must balance the resource protection objectives for agriculture, aggregates and minerals with the environmental objectives of the natural heritage features and areas and watershed management and the social objectives of protecting rural communities and the rural way of life.

The proposed development is within the Hamlet of Glenburnie. Focusing growth within the Hamlet minimizes the impact on surrounding agricultural operations. Natural heritage features are protected through the implementation of appropriate setbacks and minimizing tree removal. The proposed development exemplifies the principles of growth for rural areas.

Section 2.7: Land Use Compatibility Principles

Section 2.7 outlines policies for land use compatibility to guide development in a manner which respects existing areas and mitigate adverse effects. New development or land use change is required to demonstrate compatibility with surrounding land uses, in accordance with Section 2.7.1. Section 2.7.2 states that demonstrating compatibility must consider the potential for adverse effects that have the potential to negatively impact character, planned function, and/or ecological integrity, and the health and safety of humans. Specific matters dealing with land use compatibility are set out in Section 2.7.3:

a. shadowing;

Given the large area of the site and the scale of the proposed development, no shadow impacts are anticipated.

b. loss of privacy due to intrusive overlook;

The proposed development has been designed to minimize impacts on adjacent properties. The maximum proposed building height is two-storeys. The proposed 2-storey structure will accommodate retail uses on the ground floor and 4-residential units on the upper floor. The structure is sufficiently separated from nearest residential property (approximately 42 metres) that the increase in height will not result in intrusive overlook. Regardless of the separation, vegetated buffers are proposed adjacent to existing residential properties to the north of the proposed 2-storey development. The proposed height of new development is consistent with development in the surrounding area and therefore it is not anticipated to cause a loss of privacy due to intrusive overlook.

c. increased levels of light pollution, noise, odour, dust or vibration;

A noise impact study has been prepared in support of the development applications to evaluate the potential noise impact of the proposed development as well as noise from traffic on the proposed development. Recommendations from the noise study will be implemented through the future site plan control agreement. The City's noise by-law also provides a mechanism to regulate noise levels, particularly during construction. The proposed development is not anticipated to create odour, dust or vibration, except as a result of short-term construction activities.

d. increased and uncomfortable wind speed;

The proposed building heights are not anticipated to affect wind speed in the area as they are comparable to existing dwellings in the area.

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;

The subject site is located along two arterial roads, Perth Road and Unity Road. It is anticipated that the existing road network is capable of accommodating the increase in traffic levels resulting from the proposed development without requiring any modifications or improvements to the roads.

f. environmental damage or degradation;

There are drainage channels on the subject site. The site design incorporates appropriate setbacks from the drainage channels and no development will occur within the setbacks. Tree removal is intended to be limited to the areas where laneways and buildings are proposed. The natural area at the rear of the property on Unity Road will largely remain intact.

g. diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;

The proposed development is not anticipated to overload existing social infrastructure such as nearby school, hospitals and other community facilities. The site will be serviced by physical infrastructure available and will not otherwise diminish the services to other properties. Water and sewer services will be provided on-site.

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;

The proposed development is not anticipated to interfere with the functionality of other properties. As noted above, the proposed building heights are not anticipated to result in significant intrusive overlook or uncharacteristic shadowing. Landscaped buffers and significant yard setbacks are proposed adjacent to existing residential uses so as not to disrupt the ability to enjoy outdoor areas and the rural setting.

i. visual intrusion that disrupts the streetscape or buildings;

A portion of the proposed development will expand and repurpose a former schoolhouse for commercial use, preserving the existing streetscape along Unity Road. The proposed development will be appropriately setback from Perth Road, in keeping with existing development, and will not disrupt the streetscape.

j. degradation of cultural heritage resources;

There are no known cultural heritage resources in proximity to the subject site.

k. architectural incompatibility in terms of scale, style, massing and colour; or,

The proposed development is designed to complement the rural character of the surrounding area through the use of high-quality building materials, and the incorporation of character elements, such as dormers. The maximum building height of the proposed development is 2-storeys, in keeping with existing development in the surrounding area. The development will incorporate natural building materials, where possible. Architectural details of the proposed development will be further detailed through site plan control.

l. the loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.

The Official Plan does not identify any significant views or features and areas in the immediate vicinity of the subject site, and therefore, none are anticipated to be affected.

Section 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:

a) ensuring adequate setbacks and minimum yard requirements;

The proposed development contains appropriate setbacks which are respectful of the surrounding residential uses and the nature of rural development. Relief is requested from the zoning by-law to recognize the existing built form of the structure located at 2429 Perth Road.

b) establishing appropriate transition in building heights, coverage, and massing;

The proposed development contains a maximum building height of 2-storey's, in keeping with the existing built form in the surrounding area, which ranges from 1 to 2-storey's. Development adjacent to residential uses is proposed to be 1-storey, with 2-storey buildings containing a greater building separation. The proposed 2-storey buildings incorporate dormers to reduce the overall massing of the structure and contribute to the character of the surrounding rural environment.

c) requiring fencing, walls, or berming to create a visual screen;

Vegetation is proposed to be preserved to the extent possible to maintain visual and acoustic screening from adjacent residential uses. Further details will be provided through site plan control.

d) designing the building in a way that minimizes adverse effects;

As discussed above, the proposed building design will not cause adverse effects such as uncomfortable wind speed, loss of privacy, shadowing, or other adverse effects that could arise from building design. The proposed development meets the maximum height requirements of the zoning by-law.

e) maintaining mature vegetation and/or additional new landscaping requirements;

Existing vegetation will be preserved to the extent possible. Additional landscaping will be provided adjacent to existing residential uses, further detailed through the site plan control process.

f) controlling access locations, driveways, service areas and activity areas; and,

The proposed development includes a total of five vehicular access points to the subject lands. The existing entrance from Unity Road is proposed to be maintained. Four new access points will be provided from Perth Road.

- g) regulating location, treatment and size of accessory uses and structures, lighting, parking areas, garbage storage facilities and signage.*

The subsequent site plan control application will regulate the location of lighting, garbage storage, and signage. Limited parking will be provided along Perth Road. The primary parking areas are proposed to be located to the rear of the proposed development to provide a visual screen from the road. Vegetative buffers will be used to further screen the proposed development from surrounding residential uses.

All development in the City is required to meet the functional needs of users in the long-term to protect property owners, users and occupants. The following functional needs are listed in Section 2.7.6:

- a. suitable scale, massing and density in relation to existing built fabric;*

The proposed development will incorporate setbacks from property lines, and between buildings on the site, which are comparable and consistent with existing development in the Hamlet. The proposed buildings are larger in scale than typical residential dwellings but are not out of character for the rural area. The density of development will be low given the separation between buildings and the large area of the site.

- 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;*

Landscaping will be provided throughout the site to provide green amenity space that accentuates the rural environment.

- c. adequate land area and appropriate site configuration or provision for land assembly, as required;*

The subject lands have a sufficient area to accommodate the needs of the proposed development, including parking and vegetated buffers, as well as appropriate building setbacks and on-site services such as well and septic.

- d. efficient use of municipal services, including transit;*

The site is not serviced with water or sewer by the municipality. Public services in the area include plowing of the public roads, Kingston Access Bus service, garbage and recycling collection, and electricity.

- e. appropriate infill of vacant or under-utilized land; and,*

The proposed development will make efficient use of the land while being sensitive to natural features on the site. The proposed development is in keeping with existing development in the surrounding area and will work to support the continued vitality of the Hamlet.

- f. clearly defined and safe:*

- *site access;*

Vehicle access is provided from five site entrances. The development at 1547 Unity Road will utilize the existing entrance to the west of the schoolhouse. Two new site entrances are provided from Perth Road, to access the proposed retail development and accessory units. The existing entrances currently used to access Trudeau Trailers will be maintained through the proposed development.

- *pedestrian access to the building and parking spaces;*

Pedestrian access to the proposed buildings will be provided from Perth Road and Unity Road by way of the proposed driveways. Pedestrian circulation will be further detailed through site plan control.

- *amenity areas;*

Shared outdoor amenity area is provided in the side yard and will exceed the minimum requirements of the zoning by-law.

- *building entry; and,*

Building entrances will be clearly marked and visible in accordance with Ontario Building Code requirements. Public entrances will generally be designed to be more visible than service or staff entrances. The proposed retail development features a covered front walkway which provides pedestrian access to the four retail units.

- *parking and secure and appropriate bicycle facilities.*

Parking will be provided on site and buffered from the road and residential properties. The design of the commercial buildings will accommodate short term bicycle parking well while residential bicycle parking will be addressed at the time of site plan control.

Section 2.9: Economic Development

Section 2.9 of the Official Plan provides policy direction regarding economic development within the City. The policies of the section are intended to protect and support a strong and diversified economic base in a manner which achieves compatible development and land use.

2.9.1. It is the intent of this Plan to promote economic development and competitiveness by:

- a. providing an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;*

The proposed development will support a broad range of commercial uses to further support to the vitality of the Hamlet and its residents.

Section 3: Land Use Designations and Policy

Section 3 of the Official Plan establishes and describes the land use designations regulating the character and intended function of lands within the municipality. The subject lands are designated Hamlet on Schedule 3-B Land Use of the Official Plan. The Hamlet designation permits the proposed commercial and residential uses. Section 3.13 of the Official Plan indicates that Hamlet lands are intended to enable limited growth of residential homes, community facilities and business to strength the surrounding community. A portion of the site is designated Environmental Protection Area (EPA). There is a long standing existing driveway located in this area, which is proposed to be maintained through the subject application. No further development is proposed within the EPA area. Specific policies relating to the proposed development are discussed below.

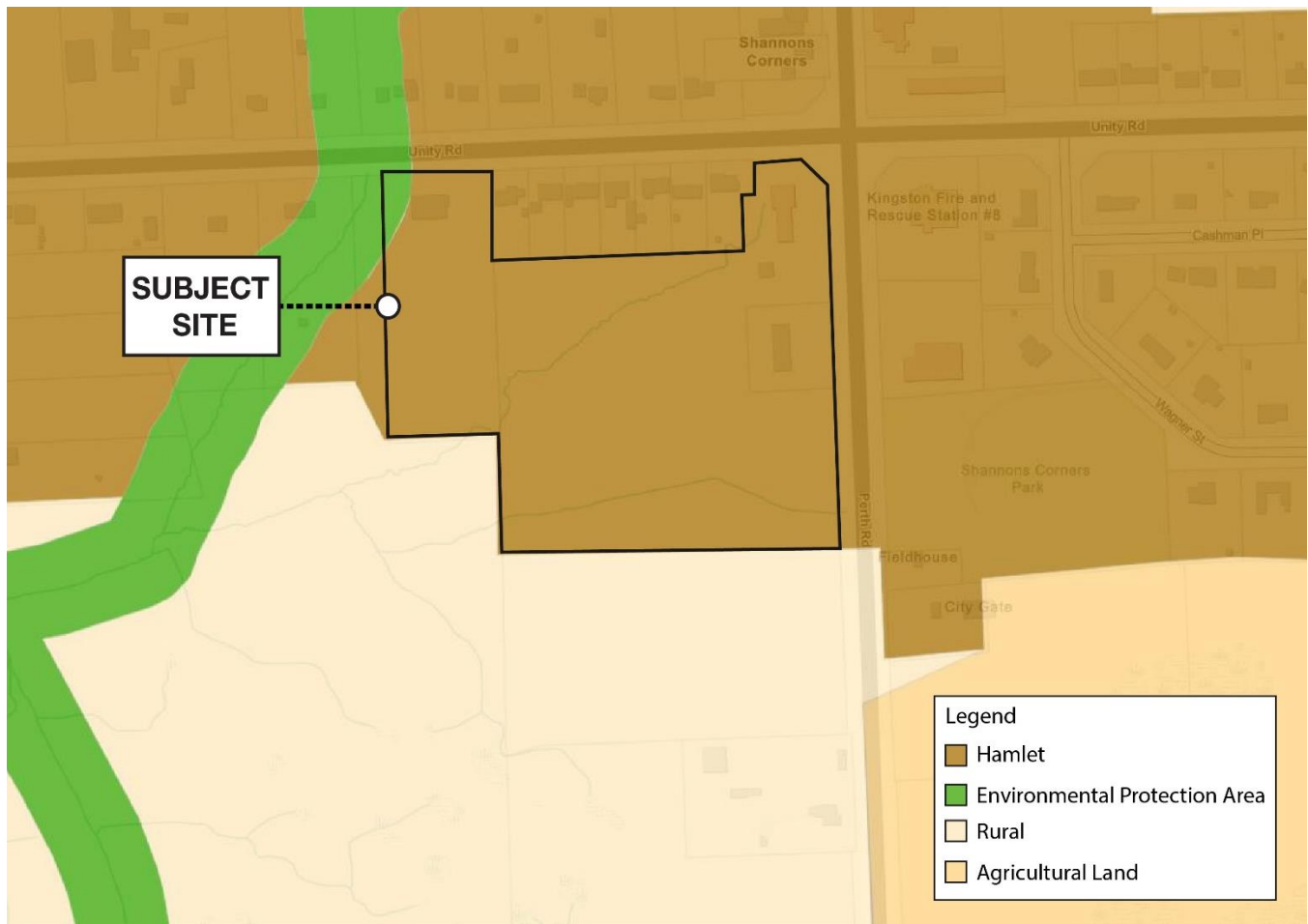


Figure 15: Subject Site - Land Use (Source: KMAPS)

3.13.2. Permitted uses in the identified Hamlets on Schedule 3 include new one and two-unit residential dwellings, parks and open spaces, limited commercial uses primarily of a local convenience nature or related to the surrounding rural and agricultural community, and community facilities such as schools, places of worship, community centres, libraries or fire halls, in accordance with Section 3.2 of this Plan. Multiple unit residential dwellings and industrial uses may be permitted under specific conditions, including appropriate provisions for individual on-site water and sewage services, and setbacks and buffering from adjacent uses.

The proposed mixed-use development will provide additional commercial amenities and four dwellings units to further support the continued vitality of the Hamlet.

3.13.4. Additional development within a Hamlet designation will only be permitted under the following circumstances:

a. on existing lots of record;

The proposed development will make efficient use of an existing, under-utilized parcel.

b. as infilling, provided the minimum lot size is generally 1 hectare, there is adequate access from a public road, and the lot can accommodate individual on-site water and sewage services to the

satisfaction of the City, KFL&A Public Health, and the Ministry of the Environment and Climate Change;

The proposed development is located along two arterial roads, Perth Road and Unity road. The subject lands are approximately 8.25 hectares, and can adequately accommodate on-site water and sewage services, as demonstrated by the Servicing Report. The Servicing Report will be reviewed to the satisfaction of the City through the technical circulation process.

c. in accordance with the Cultural Heritage Resource policies of Section 7;

The policies of Section 7 are discussed further below.

3.13.5. All development in Hamlets must proceed on the basis of individual on-site water and sewage services in accordance with Section 4.4 of this Plan, except in accordance with Sections 3.14.8 and 3.14.9 with respect to the Hamlet of Sunnyside.

The proposed development will utilize on-site water and sewer services, as demonstrated by the Servicing Report.

3.13.6. A limited amount of additional development is permitted within the boundaries of existing Hamlets. However, it is recognized that certain Hamlets, because of environmental, groundwater or locational constraints and changing socio-economic circumstances, may experience little or no growth.

The proposed development provides an appropriate rural scale. The proposed commercial uses will work to diversify the economic base of the Hamlet, providing addition amenities and employment opportunities to surrounding residents.

Section 4: Infrastructure and Transportation

Section 4 of the Official Plan provides policy direction for utilizing the City's physical infrastructure. In addition to addressing hard services, Section 4 provides policy direction for active transportation and other transportation needs.

Section 4.1: General Policies

Section 4.1 outlines the City's general infrastructure policies as they relate to matters such as new development, capacity limitations, and development charges.

Section 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.

The subject site is located outside of municipally serviced areas and will operate individual on-site water and sewage services. The on-site services will be able to accommodate the needs of the proposed development, as per the findings of the hydrogeological and servicing assessment. It is anticipated that the existing road network is capable of accommodating the increase in traffic levels resulting from the proposed development without requiring any modifications or improvements to the roads.

Section 4.3: Stormwater Management

Section 4.3 of the Official Plan provides policy direction for the controlling the quantity and quality of surface stormwater runoff. Through stormwater management, Kingston's natural heritage system and ground water and surface water resources may be protected. Stormwater management also helps to mitigate to possibility of natural hazards such as flooding and erosion.

Section 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.

The proposed development will comply with the City's requirements for stormwater management in that post-development flows will be controlled to pre-development levels. The proposed development will meet landscaped open space requirements of the zoning by-law.

Section 4.4: Individual On-Site Services

Section 4.4 outlines policy direction for the provision of on-site services for development beyond the Urban Boundary. These areas will be primarily based on individual on-site water and sewage services and will only be permitted if conditions are adequate to support such systems for the long term, with no negative impacts. The City may require that a Hydrogeological Study be prepared which addresses matters pertaining to groundwater capacity, groundwater constraints, and terrain suitability for on-site servicing.

The subject site is located beyond the urban boundary and, as such, is required to provide individual on-site water and sewage services. Based on the proposed design of the development and on-site services, a hydrogeological assessment was completed which determined that the subsurface water and soil conditions are sufficient to meet the needs of the proposed development in terms of water and sewage without causing negative impacts to surrounding properties.

Section 5: Protection of Health & Safety

Section 5 of the Official Plan provides policy direction to manage natural and human-made hazards in a manner that protects human life and health, avoids adverse effects on living areas and sensitive uses, and avoids, minimizes, or buffers sources of pollution so that the quality of life in Kingston will be improved and sustained over the long term. The subject site is not in proximity to natural hazard lands.

Section 7: Cultural Heritage and Archaeology

Section 7 of the Official Plan provides policy direction for the protection and appropriate management of cultural heritage resources. Cultural heritage resources include intangible cultural resources, moveable cultural heritage resources, protecting heritage properties, built heritage resources, cultural heritage landscapes, and archaeological resources. A Stage 1 & 2 Archeological Assessment was prepared in support of the proposed development. The subject lands have received archaeological clearance and no negative impacts are anticipated in this regard.

Section 8: Urban Design

Section 8 of the Official Plan addresses the arrangement of elements within the built and natural environment. Urban design has particular importance as a tool for achieving compatibility between areas containing cultural heritage resources and new development.

Section 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:

- 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 signage, visual or auditory indicators, and other means as appropriate;*

As a commercial use, the site design will be required to comply with the Accessibility for Ontarians with Disabilities Act (AODA) and will include the required accessibility considerations. AODA compliance will be ensured through the zoning, site plan control, and building permit review processes.

- 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;*

Adequate lighting will be provided throughout the site to ensure visibility is maintained around highly frequented areas. Lighting will be organized so as to be sensitive to the rural setting of the subject site and to not detract from the rural characteristics of the area. Five driveways provide access to the site along Perth Road and Unity Road. These driveways are intended to function as fire access routes, providing ease of access to the site for emergency person and vehicles.

- 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;*

Building entrances will be clearly marked and visible in accordance with Ontario Building Code requirements. Public entrances will generally be designed to be more visible than service or staff entrances. The site plan control review process will provide an opportunity to review and implement detailed control of the entrance design.

- d) arranging public uses and amenities within a convenient walking distance;*

The proposed development does not propose any public uses or amenities but the new residential uses will be located across from the existing park in the community.

- 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,*

Walkway widths will comply with AODA standards and the proposed landscape treatments and buffers will not obstruct sight lines. The design of these features is intended to reflect the rural characteristics of the subject site and surrounding context.

- f) promoting safe environments by applying Crime Prevention Through Environmental Design (CPTED) concepts and principles in the design of buildings, site layout and landscaping of development sites.*

Detailed review of the proposed development for CPTED compliance will be part of the site plan control review. The proposal intends to satisfy considerations of privacy and tranquility as well as safety and crime prevention

Section 9: Administration & Implementation

The purpose of Section 9 is to detail the policies for administering and implementing the Official Plan. Section 9.5.9 lists the matters to which Planning Committee must have regard when considering applications for zoning by-law amendment:

- a. conformity of the proposal with the intent of the Official Plan policies and schedules;*

The proposed rezoning seeks to describe appropriate performance standards to allow the development. Conformity with the intent of the Official Plan is provided in detail above in response to Section 2, 3, and 8.

- 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;*

The proposed rezoning will establish performance standards that are intended to ensure the development of the site proceeds in a manner which is compatible with the surrounding neighbourhood.

- 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;*

As indicated by the Official Plan designation for the site, limited growth of residential homes and businesses are permitted in the City's Hamlets. The proposed development will work to support the continued vitality of the Hamlet.

- 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;*

The subject property can adequately accommodate the required parking, landscaped open space, and amenity areas.

- 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;*

The surrounding neighbourhood contains one to two storey residential dwellings. The proposed accessory dwellings will contribute to the range of housing types provided in the Hamlet, in a compatible built form.

- g. the impact on municipal infrastructure, services and traffic;*

The proposed development will operate within expected rural services levels and is not anticipated to impact existing infrastructure, services or traffic.

- h. comments and submissions of staff, agencies and the public; and,*

A statutory public meeting before Planning Committee will be held which will provide an opportunity for receiving and responding to comments from the public and Committee members. The application will also be reviewed on its technical merits by City staff and a second public meeting will be held when the application returns to Planning Committee with a recommendation from City Staff.

- i. the degree to which the proposal creates a precedent.*

The proposed development will not create a precedent as the proposed commercial and residential uses are permitted in the current land use designation of the site.

The proposed redevelopment of the subject site conforms to the City of Kingston's Official Plan

5.0
Current and Proposed Zoning

The subject lands are regulated by the Township of Kingston Zoning By-law 76-26. The property is zoned Restricted Agricultural Zone (A1), Residential Type 1 Zone (R1), General Commercial Zone (C2) and Open Space (OS) in the Township of Kingston Zoning By-law 72-26. The proposed zoning by-law amendment will establish unified zoning across the subject lands to permit the proposed uses and establish appropriate performance standards for the proposed development.

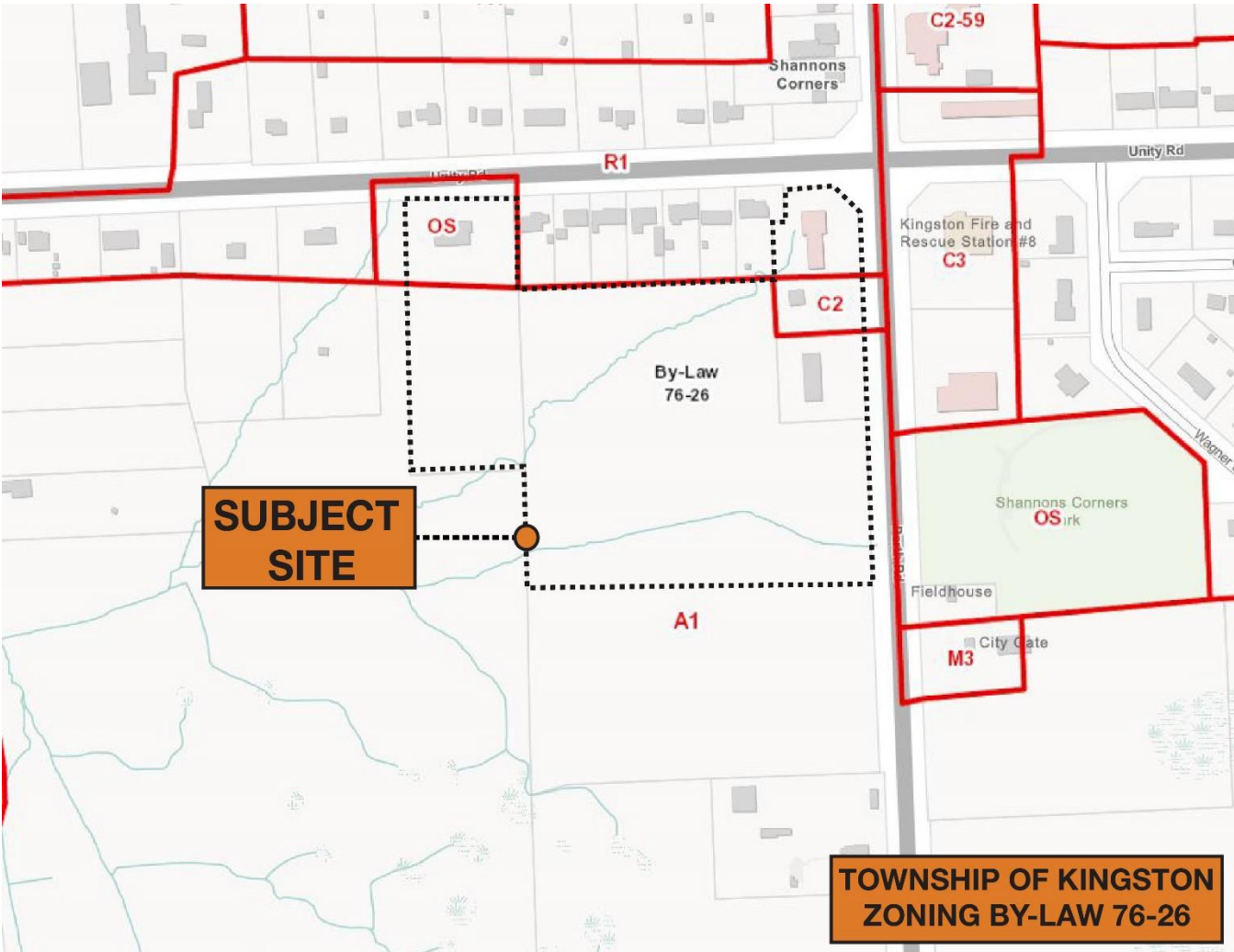


Figure 16: Current Zoning (Source: KMAPS)

It is proposed to rezone the subject site to a site specific General Commercial (C2) Zone, to allow the proposed uses, and to provide site-specific performance standards. The following table assesses the performance standards of the proposed development against the applicable provisions of the C2 Zone:

Provision	Requirement	Proposed	Amendment Required?
Section 19: General Commercial Zone (C2)			
Permitted Uses	<p>Residential Uses:</p> <ul style="list-style-type: none"> An accessory dwelling unit in the upper portion of a non-residential building <p>Non-Residential Uses:</p> <ul style="list-style-type: none"> an auditorium; an automatic car wash; an automobile service station; an appliance rental shop; a bank; a beverage room; a boat sales establishment; a business or professional office; a clinic; a commercial club; a commercial school; a dry-cleaning or laundry outlet; a funeral home; a gasoline retail facility; a home occupation; an institute; a laundromat; a merchandise service shop; a vehicle sales or rental establishment; (83-43) a parking lot; a personal service shop; a copy shop; a private club; a public use in accordance with the provisions of Section 5(18) hereof; a recreational establishment; a restaurant; a take-out restaurant; a retail store; a supermarket; an undertaking establishment; a veterinary clinic; a shopping centre consisting of any of the permitted uses listed herein; a day nursery. 	<p>Residential Uses:</p> <ul style="list-style-type: none"> Four accessory dwelling units in the upper portion of a non-residential building <p>Additional Non-Residential Uses:</p> <ul style="list-style-type: none"> Self-service storage facility 	Yes
Lot Area (Min)	<p>Accessory Dwelling Unit: 22,000 square feet (2043.8 m²)</p> <p>Automobile Service Station: 12,500 square feet (1161.2 m²)</p> <p><u>Other Uses:</u> 10,000 square feet (929.0 m²)</p>	82,478.3 m ²	No

Lot Frontage (Min)	Automobile Service Station: 125 feet (38.1 m) Other uses: 50 feet (15.2 m)	Automobile Service Station: 353.3 m Other Uses: 69.5 m	No
Lot Depth (Min)	Automobile Service Station: (15.2 m)	Automobile Service Station: 32.1 m	No
Front Yard (Min)	Automobile Service Station: 50 feet (15.2 m) Other Uses: 50 feet (15.2 m)	Automobile Service Station: 20.8 m Other Uses: 14.8 m (existing)	Yes
Exterior Side Yard (Min)	Automobile Service Station: 50 feet (15.2 m) Other Uses: 10 feet (3.0 m)	Automobile Service Station: 14.9 m (existing)	Yes
Interior Side Yard (Min)	Automobile Service Station: 30 feet (9.1m) Other Uses: 20 feet (6.0 m) provided that where the interior side lot line abuts another lot in a Commercial Zone, no interior side yard shall be required	Other Uses: 5.1 m	Yes
Rear Yard (Min)	25 feet (7.6 m)	10.7 m	No
Landscaped Open Space (Min)	Automobile Service Station: 5% Other Uses: 10%	81.4%	No
Lot Coverage (Max)	Automobile Service Station: 20% Other Uses: 50%	4.4%	No
Dwelling Unit Area (Min)	a) Bachelor dwelling unit 400 square feet (37m ²) b) Dwelling unit containing 1 bedroom 600 square feet (55.7m ²) c) Dwelling unit containing 2 bedrooms 700 square feet (65.0 m ²) d) Dwelling unit containing 3 bedrooms 900 square feet (83.6 m ²) e) Dwelling unit containing more than 3 bedrooms 900 square feet (83.6 m ²) plus 100 square feet (9.3m ²) for each bedroom in excess	1-bedroom unit (min): 79.8m ² 2-bedroom unit (min): 100.7 ²	No
Gross Leasable Area (Max)	The gross leasable area of a shopping centre shall not exceed 2000 square metres. For the purpose of this provision the term "gross leasable area" shall not include floor area which is exclusively devoted to institutional, office or residential use.	Retail Development: 935.7 m ²	No
Building Height (Max)	35 feet (10.6 m)	12.1 m	Yes
Dwelling Units Per Lot (Max)	1	4	Yes
Open Storage	No open storage of goods or materials shall be permitted.	N/A	No
Gasoline Pump Island Location	Notwithstanding any other provisions of this By-law to the contrary, a gasoline pump island accessory to a permitted use may be located within any front yard or	No gasoline island proposed.	No

	exterior side yard provided: (i) The minimum distance between any portion of the gasoline pump island or its canopy and any lot line shall be 15 feet. (94-83) (ii) Where the lot is a corner lot, no portion of any gasoline pump island shall be located closer than 10 feet to a sight triangle.		
General Provisions (s. 5)			
Loading Space Regulations	Commercial Uses: 3,000 – 25,000 square feet: 1 loading space	0 spaces	Yes
Parking (s. 5.3A.(a))	<p>Accessory Dwelling: 1.25 parking spaces per dwelling unit</p> <p>Health or Fitness Club: 3.1 parking spaces per 100 square metres of gross floor area</p> <p>Office: 3.57 parking spaces per 100 square metres</p> <p>Retail Store: 5.25 parking spaces per 100 square metres of gross floor area</p> <p>Industrial Establishment: 1.66 parking spaces per 100 square metres of storage space</p> <p><u>Unity Road:</u> Health Club: 339.8 square metres = 11 spaces Office Space: 483.4 square metres = 17 spaces Storage Facility: 1,351 square metres: 22 spaces Required: 50 spaces</p> <p><u>Perth Road:</u> 4 accessory dwellings = 5 required spaces Retail Space: 937.7 square metres = 49 spaces Office Space: 382.2 square metres = 14 spaces Possible retail expansion: 1000 square metres = 53 spaces Required: 121 spaces</p>	<p>Unity Road: 49 spaces</p> <p>Perth Road: 121 spaces</p>	No
Design Standards	2.75m x 6.0m	2.7 m x 6.0m	Yes
Accessible Parking (s.5.3A.(d)(i)(a))	Commercial and residential: 4% Perth Road: 3 spaces Unity Road: 2 spaces	Perth Road: 3 spaces Unity Road: 2 spaces	No
Design Standards	Type A: 3.4m x 6.0m Type B: 2.7m x 6.0m Access Aisle: 1.5m x 6.0m	3.4m x 6.0m 2.7m x 6.0m 1.5m x 6.0m	No No No
Access	i. For non-residential uses, access to the required parking spaces and parking areas shall be provided by means of unobstructed driveways or passageways, of widths as follows, measured within the property for the lesser of a distance of 20 feet (6.0m) beyond the landscaped strip or the initial row of parking spaces or, where no	Unobstructed Driveway	No

	<p>landscaped strip or row of parking spaces is provided, 20 feet (6.0m) from the streetline. (94-21) and (95-129)</p> <p>(a) For one-way driveways, at least 10 feet (3.0m) but not more than 30 feet (9.1m) in width.</p> <p>(b) For driveways used for combined ingress and egress, at least 20 feet (6.0m) but not more than 45 feet (13.7m) in width</p>	Varies, >6.0m, <13.7m	No
	<p>ii. The aisles, permissible parking angles and associated minimum dimensions shall be as defined in Schedule "C". (94-21)</p>	In accordance with Schedule C	No
	<p>iii. The minimum distance between two separate driveways on one lot, measured along the street line, shall be 25 feet (7.6m).</p>	28.4m	No
	<p>iv. The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 30 feet (9.1m) for all residential uses in Residential Zones and shall be 50 feet (15.2m) for all other uses in any zone.</p>	24.2m (existing)	No
	<p>v. The minimum angle of intersection between a driveway and a street line shall be 60 degrees.</p>	90 degrees	No
	<p>vi. Every lot shall be limited to the following number of driveways:</p> <p>a) up to the first 35 feet (10.6m) of frontage - not more than one driveway;</p> <p>b) greater than 35 feet (10.6m) of frontage but less than 100 feet (30.48m) of frontage - not more than two driveways, with a combined width not exceeding 40 per cent of the lot frontage; and</p> <p>c) 1 additional driveway for each additional 100 feet (30.48m) of lot frontage.</p>	5 driveways	No
Planting Strips (s.5.17)	<p>a) Where a lot is used for a Non-Residential purpose and the interior side or rear lot line, or portion thereof, abuts a Residential use or undeveloped land in an "R" or "D" Zone, or where such lot is in an Industrial Zone and the front, side or rear lot line abuts a portion of a street, the opposite side of which portion of the street abuts a Residential use or undeveloped land in a Residential Zone, then a strip of land adjoining such abutting lot line, or portion thereof, shall be used for no purpose other than a planting strip in accordance with the provisions of this subsection.</p>	Planting Strip	No
	<p>b) Where, in any zone, a strip of land is required to be used for no purpose other than a planting strip, it shall have a minimum width of 10 feet</p>	3.0 m	No

	(3.0m) measured perpendicularly to the lot line it adjoins. c) Except where it is required along a front lot line or along a side lot line within 10 feet (3.0m) of a street line, a planting strip shall be used for no other purpose than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 5 feet (1.5m) high, immediately adjacent to the lot line or portion thereof along which such planting strip is required hereunder; the remainder of the strip shall be used for no other purpose than the planting of ornamental shrubs, flowering shrubs, flower beds or a combination thereof. Where required along a front lot line, a planting strip shall be used for no other purpose than trees, hedges, shrubs, flower beds, grass or a combination thereof.	Planting Strip	No
Amenity Area (s. 5.27)	(a) A minimum of 18.5 square metres of amenity area shall be provided for each dwelling unit on the lot. (74 m² required)	>74 m ² total amenity area	No
	(b) Amenity areas, or any part thereof, shall be designed and located so that the length does not exceed four times the width.	Length will not exceed width	No
	(c) Amenity areas, if provided as communal space, must be aggregated into one area or grouped into areas of not less than 54.0 square metres.	>54.0 square metres	No
	(d) Where an amenity area, provided as an outdoor area exterior to the residential building, is located at grade level, it may be included in the calculation of landscaped open space requirements.	To be located at-grade.	No

In summary, the proposed site-specific zoning by-law text will permit the redevelopment of the three parcels by addressing the discrepancies in the provisions noted in the table above.

Permitted Uses

It is proposed to add a self-service storage facility to the permitted uses on the subject site. The proposed self-service storage facility is designed to integrate behind the proposed health club, providing a visual screen from Unity Road to complement the existing built form. As there is no formal definition for self-service storage facilities in the zoning by-law, it is proposed to add a definition used in other zones in by-law 76-26, as follows:

Self-Service Storage Facility – means a facility designed and used for the purpose of renting or leasing individual secured storage units, which are generally accessible by means of individual loading doors, to tenants who are to have access to such units for the purpose of storing and removing property. Property may include general merchandise, furniture, household items, unlicensed and licensed vehicles, equipment, tractors and recreational vehicles (boats, motor homes, trailers). Explosives, radioactive materials, flammable or hazardous chemicals or goods which produce noxious odours are prohibited.

Additionally, it is proposed to increase the number of permitted residential units from 1 to 4. Rural areas often experience limited rental opportunities. The proposed accessory dwellings further diversify housing options in the Hamlet in a compatible built form.

Yard Setbacks

It is proposed to reduce the required front yard, exterior side yard and interior side yards of the zoning by-law. It is proposed to reduce the front yard requirement from 15.2 metres to 14.8 metres to recognize the existing built form of the schoolhouse, which is proposed to be repurposed for commercial use. As the requested variance seeks to recognize the existing built form, no negative impacts are anticipated as a result.

Relief is requested from the minimum required exterior side yard for automobile service stations to recognize the existing built form of the Auto Shop located at 2429 Perth Road. It is proposed to reduce to minimum exterior side yard from 15.2 metres to 14.9 metres. The proposed reduction is minor in nature and is not anticipated to impact the safety or functionality of the surrounding road network, as the structure is currently existing.

Due to the configuration of the site and existing buildings, it is proposed to reduce the minimum required interior side yard for other uses from 6.0 metres to 5.1 metres to accommodate the proposed addition to the schoolhouse. The proposed development seeks to repurpose the former schoolhouse for commercial use. The requested relief would provide an adequate area for the proposed addition, allowing for the efficient use of the existing building stock. Given the minor nature of the proposed reduction, no negative impacts are anticipated.

Building Height

It is proposed to increase the maximum building height from 10.6 metres to 12.1 metres. The proposed increase in height will accommodate the proposed upper floor accessory dwellings in the retail development. The proposed 2-storey building is adequately separated from adjacent residential properties. Dormers are included to reduce the overall massing of the building and complement the rural character. As a result, it is not anticipated that this amendment will impact the neighbourhood character or existing streetscape.

Maximum Number of Dwelling Units

It is proposed to increase the maximum number of dwelling units permitted on the subject site from 1 to 4. The proposed accessory dwellings seamlessly integrate into the upper floor of the proposed retail building. The incorporation of dormers and large windows contribute to the character of the surrounding rural area. The accessory dwellings will contribute to the range of housing types available in the Hamlet and make efficient use of the subject lands.

Loading Spaces

It is proposed to reduce the minimum number of loading spaces from 1 to 0. Given the rural nature of the proposed retail development it is not anticipated that loading facilities would be required to meet the needs of the proposed development. Thus, to provide a more efficient site layout, no loading spaces are proposed.

Parking Dimensions

It is also proposed to amend the dimensions of standard parking spaces. The zoning by-law establishes minimum dimensions for standard parking spaces of 2.75 metres wide by 6.0 metres in length. The width of standard parking spaces on the site is proposed to be reduced to 2.7 metres, which is consistent with the parking stall widths of the other zoning by-laws in Kingston and continues to provide adequate space for vehicles to park and for opening of car doors and access to vehicles.

Conclusion

This application seeks to redevelop the 8.25 hectare subject lands with a mixed use development. The proposal provides a variety of commercial uses and four (4) accessory dwellings. The pattern of development proposed is consistent with the rural settlement area of Glenburnie. The proposed development will be serviced by individual on-site private water and sewer systems.

The Provincial Policy Statement and City of Kingston Official Plan are supportive of development when it occurs in a matter that is compatible with the adjacent uses and does not infringe on any resource, agricultural operations, or significant natural features. Supporting technical studies have been completed to review any potential impacts of the proposed development. With the incorporation of appropriate mitigation measures, the proposed development can be accommodated on site without negative impacts. The proposed development represents mixed-use intensification of under-utilized lands within a designated settlement area, contributing to the continued vitality of the Hamlet.

The proposed zoning by-law amendment seeks to bring the subject lands under one zoning provision to support the proposed redevelopment. The site-specific zone will establish appropriate performance standards for the subject lands. The proposed development standards are typical for hamlet settings and will facilitate a low-density built form while ensuring the functional needs of residents are met, consistent with the policies of the Official Plan.

It is our professional opinion that the proposed zoning-bylaw amendment represents good land use planning. Should you require any additional information, please do not hesitate to contact the undersigned at 613.542.5454x221 or at keene@fotenn.com.

Respectfully,



Mike Keene, MCIP RPP
Principal, Planning + Development
Fotenn Consultants Inc.

Appendix A

Proposed Zoning By-law Amendment

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C2.XXX. 1547 Unity Road & 2429 Perth Road

Notwithstanding the provisions of Section 5 and 19 hereof to the contrary, on the approximately 8.25 hectare parcel of land known as 1547 Unity Road in the City of Kingston and zoned 'C2.xxx' on Schedule B, the following provisions shall apply:

Additional Permitted Uses

Residential Uses

- Four accessory dwelling units in the upper portion of a non-residential building

Non-Residential Uses

- Self-Service Storage Facility

Definition

Self-Service Storage Facility: means a facility designed and used for the purpose of renting or leasing individual secured storage units, which are generally accessible by means of individual loading doors, to tenants who are to have access to such units for the purpose of storing and removing property. Property may include general merchandise, furniture, household items, unlicensed and licensed vehicles, equipment, tractors and recreational vehicles (boats, motor homes, trailers). Explosives, radioactive materials, flammable or hazardous chemicals or goods which produce noxious odours are prohibited.

Minimum Front Yard

Automobile Service Station: 15.2 metres
Other Uses: 14.8 metres

Minimum Exterior Side Yard

Automobile Service Station: 14.9 metres

Minimum Interior Side Yard

Automobile Service Station: 15.2 metres
Other Uses: 5.1 metres

Maximum Building Height

12.1 metres

Maximum Dwelling Units Per Lot

4

Minimum Number of Loading Spaces

0

Regular Parking Space Dimensions

2.7 metres x 6.0 metres

