



**City of Kingston  
Committee of Adjustment  
Meeting Number 2020-11  
Monday, November 16, 2020 at 5:30 p.m.**

**Business**

- a) **Application for: Minor Variance**  
**File Number: D13-039-2020**  
**Address: 230 Frontenac Street**  
**Owner: Henglee Kingston Inc.**  
**Applicant: The Boulevard Group**

The Report of the Commissioner of Community Services (COA-20-060) is attached.

Schedule Pages 1 – 31

The consent of the Committee of Adjustment is requested to substitute Report Number COA-20-59 with Report Number COA-20-60.

**Recommendation:**

**That** minor variance application, File Number OTD13-039-2020, for the property located at 230 Frontenac Street to allow for the development of an attached second residential unit through the development of a rear addition totalling approximately 69 square metres, be approved; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-20-060.



**City of Kingston  
Report to Committee of Adjustment  
Report Number COA-20-060**

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**To:** Chair and Members of the Committee of Adjustment  
**From:** Waleed Albakry, Senior Planner  
**Date of Meeting:** November 16, 2020  
**Application for:** Minor Variance  
**File Number:** D13-039-2020  
**Address:** 230 Frontenac Street  
**Owner:** Henglee Kingston Inc.  
**Applicant:** The Boulevard Group

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**Council Strategic Plan Alignment:**

Theme: 2. Increase housing affordability

Goal: 2.4 Promote secondary suites and tiny homes.

**Executive Summary:**

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variances with respect to the property located at 230 Frontenac Street. The applicant is proposing to expand the existing 2.5-storey single family dwelling located on the subject property through the construction of a rear addition which will accommodate a second residential unit. The total gross floor area of the proposed second residential unit is 190 square metres with a building footprint of approximately 69 square metres. The proposed development complies with all applicable zoning performance standards with the exception of the maximum building depth permitted and the requirement to provide a 1.2 metre-wide unobstructed exterior pathway from the front of the principal dwelling to the second residential unit entrance.

The requested minor variances are consistent with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The requested minor variances are desirable for the appropriate development or use of the land, building or structure and **are**

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minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval.

**Variance Number 1:**

**By-Law Number 8499:** 6.3(g)(ii)(1)(a) Maximum Permitted Building Depth

**Requirement:** 17.7 metres

**Proposed:** 25.6 metres

**Variance Requested:** 7.9 metres

**Variance Number 2:**

**By-Law Number 8499:** 5.45(xvi)

**Requirement:** A minimum 1.2 metre-wide unobstructed pathway provided from the front of the Principal Dwelling Unit building or the front lot line.

**Proposed:** Permit the usage of the existing driveway to provide the required unobstructed pathway to an attached second residential unit.

**Variance Requested:** Permit the usage of the existing driveway to provide vehicular access to the parking spaces in the rear yard and to function as the required minimum 1.2 metre-wide unobstructed pathway to the attached second residential unit.

**Recommendation:**

**That** minor variance application, File Number OTD13-039-2020, for the property located at 230 Frontenac Street to allow for the development of an attached second residential unit through the development of a rear addition totalling approximately 69 square metres, be approved; and

**That** approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-20-060.

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**Authorizing Signatures:**



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Waleed Albarky, Senior Planner

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

Paige Agnew, Commissioner, Community Services

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**Options/Discussion:**

On September 4, 2020, a minor variance application was submitted by OTThe Boulevard Group, on behalf of the owner, Henglee Kingston Inc., with respect to the property located at 230 Frontenac Street. The variance is requested to allow for the development of an attached second residential unit through the construction of a rear addition totalling approximately 69 square metres. The minor variance application requests increasing the maximum permitted building depth and using the existing driveway to provide the required unobstructed pathway to the attached second residential unit.

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

- Site Plan (Lakeside Drafting) (Exhibit G – Site Plan);  
Floor Plans & Elevations (Lakeside Drafting & Design) (Exhibit H – Floor Plans & Elevations);
- Planning Justification Letter (The Boulevard Group Inc.);
- Scoped Heritage Impact Statement (André Scheinman); and
- Stage 1/2 Archaeological Assessment (Abacus Archaeological Services).

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

**Site Characteristics**

The subject property is located in the Sunnyside Neighbourhood on the west side of Frontenac Street, between Earl Street to the north and Union Street to the south (Exhibit B – Key Map). The subject property is approximately 504 square metres in area and has an existing residential building containing a single dwelling unit. The existing 2.5 storey building has a gross floor area of 215 square metres with one on-site vehicular parking space in the northern interior side yard (Exhibit I – Photos).

The property is in close proximity to the main campus of Queen’s University and is located immediately across the street from Kingston Collegiate & Vocational Institute (KCVI), which is a designated property under Part IV of the *Ontario Heritage Act* (Exhibit D – Neighbourhood Context Map).

The subject property is designated “Residential” in the City of Kingston Official Plan (Exhibit E – Official Plan Map) and it is located in a One-Family Dwelling and Two-Family Dwelling “A” zone in Zoning By-Law Number 8499, as amended (Exhibit F – Zoning By-Law Map).

**Application**

The review of an application for minor variance(s) is not a simple mathematical calculation, but rather a detailed assessment of whether the variance(s) requested, both separately and

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together, meet the four tests of a minor variance outlined in Subsection 45(1) of the *Planning Act*. The following provides this review:

### Provincial Policy Statement

In addition to the four tests of a minor variance detailed above, Subsection 3(5) of the *Planning Act* requires that a decision in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (the PPS). The PPS provides policy direction on matters of provincial interest related to land use planning and development which are complemented by local policies addressing local interests. The application being considered is site specific to accommodate a specific proposal and does not involve any major policy considerations and as such, the proposal conforms to and is consistent with the PPS.

#### 1) The general intent and purpose of the Official Plan are maintained

The subject property is designated “Residential” in the City of Kingston Official Plan (OP).

In considering whether this proposed variance is desirable, the Committee of Adjustment will have regard to the nine requirements included in Section 9.5.19 of the OP. The following is a list of the nine requirements and an assessment of how the proposal is consistent with each.

1. The proposed *development* meets the intent of Section 2 Strategic Policy Direction, and all other applicable policies of this Plan;

The subject property is designated “Residential” on “Schedule 3-A Land Use Map” of the City of Kingston’s (OP). The predominant use within the “Residential” designation is residential dwellings, including detached, semi-detached or duplex dwellings, townhouses, multi-family dwellings and apartment buildings.

The City of Kingston is divided into general structural elements as illustrated on Schedule 2 of the OP. These elements are not expected to change substantially over the life of the OP. The subject property is in a “Housing District.” In accordance with Sections 2.2.5 and 2.6 of the OP, “Housing Districts” in the OP are intended to remain stable. Remaining stable in this context means witnessing no substantial adverse changes that alter their characters but it does not preclude gentle changes through minor infilling and minor development if the development is compatible with the prevailing built form in the area.

In accordance with Section 2.2.1 of the OP, the focus of growth within the City is envisioned to occur mostly within the Urban Boundary. The proposal involves the construction of a second residential unit at the rear of an existing single detached dwelling and it will result in a moderate increase of the site’s density. The subject property is located within a “Housing District” which in turn is located within the Urban Boundary.

The policies of the OP under Sections 2.4.3 and 2.4.5 recognize the importance of increasing the urban residential density in the built-up residential areas through, among

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other types of development, the expansion or conversion of existing buildings and infill developments.

The proposed development will modestly increase the density of the site in a fashion that is compatible with the site and its surroundings. As a result, it can be concluded that the proposal is consistent with the Strategic Policy Direction Section of the OP, including the key policy consideration regarding focus of growth and increasing residential density in the built-up areas.

2. The proposed *development* will be *compatible* with surrounding uses, buildings or structures and *development* standards associated with adjacent properties, and if necessary, incorporate means of alleviating *adverse effects* on abutting land uses as recommended in Section 2.7 of this Plan;

Section 2.7.3 of the OP includes standards regarding land use compatibility and potential adverse effects that must be considered and addressed satisfactorily in order for a proposed development and/or land use change to be considered “compatible” as defined by the OP. Below is the standards with an explanation of how they relate to the proposal:

- a. Shadowing;

The massing of the proposed addition is generally consistent with the massing and built form of the existing single-detached dwelling. The proposed exterior wall height and overall building height comply with the maximum permissions under the “A” zone. The building addition will meet the interior side yard setback requirement and the aggregate side yard requirement of the governing zone.

Therefore, it can be concluded that the proposed addition will not result in an increase of the shadow impact on the neighbouring properties.

- b. Loss of privacy due to intrusive overlook;

The rear yard is approximately 20 metres in depth and locating windows to look into the rear yard will not result in loss of privacy. For this reason, most of the windows for the proposed addition are located on the rear wall facing the rear yard to protect the privacy of the neighbouring properties at 226 and 232 Frontenac Street.

The proposed addition has a limited number of windows on the northern side, has no windows on the southern side (**Exhibit H - Floor Plans & Elevations**) and complies with the minimum yard and height requirements of the governing zone.

Accordingly, the proposed second residential unit is not expected to result in a loss of privacy due to intrusive overlook.

- c. Increased levels of light pollution, noise, odour, dust, vibration;

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The applicant is proposing to replace the chain link fence with a solid wood fence along the southern property line in the area corresponding to the location of the parking spaces to reduce the adverse impact of car headlights shining into the neighbouring property to the south (**Exhibit G – Site Plan**). Therefore, the proposal is not expected to result in any increased levels of light pollution, noise, odour, dust or vibration.

- d. Increased and uncomfortable wind speed;

It is not anticipated that the proposed development would result in an increased and/or uncomfortable wind speed.

- 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 proposed development represents a modest intensification and it will comply with the off-street parking regulations of the governing zone. The addition of a vehicle to the property for parking is not anticipated to result in any adverse effects with respect to traffic. In addition, the neighbourhood is favourable in terms of walkability and access to active transportation routes and public transit.

- f. Environmental damage or degradation;

It is not expected that the proposed second residential unit will result in environmental damage or degradation.

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

Comments received through the technical circulation process confirmed that there are no concerns with the proposal from an infrastructure servicing perspective. There are existing community and institutional facilities within walking/public transit distance of the site that are not expected to be negatively impacted by the modest increase in density on the subject 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 Scoped Heritage Impact Statement (SHIS) accompanying the proposal emphasized that the proposed second residential unit located at the rear of the existing single detached dwelling will not result in any adverse impacts on the heritage character of the area.

The proposal is generally consistent with the OP and the City of Kingston's Residential Design Guidelines for Residential Lots. Currently, the driveway access located within the northern interior side yard functions as the required parking space.



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As part of the proposal, the two parking spaces required will be located in the rear yard and the driveway located within the northern interior side yard will be used to provide vehicular access to the parking spaces in the rear yard and will also function as the required minimum 1.2 metre-wide unobstructed pathway to the attached second residential unit. On-site signage will be placed to prohibit vehicles from parking in the driveway.

Furthermore, the subject property will have more than the required minimum landscaped open space. Therefore, staff is of the opinion that the proposed development does not result in reduction in the ability to enjoy the property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting.

i. Visual intrusion that disrupts the streetscape or buildings;

The proposed rear addition complies with the maximum height provision for the governing zone and it is designed in a manner that respects the heritage character of the area. The rear addition is proposed to extend approximately 8 metres beyond the permitted building depth or 11 metres beyond the rear wall of the directly adjacent residential buildings located north and south of the subject property at 232 Frontenac Street and 226 Frontenac Street, respectively. Although the proposed development exceeds the building depth of the directly adjacent residential buildings located north and south of the subject property, the proposed residential building depth is in keeping with the depths of various other residential buildings within the same block and within the block immediately to the west.

The proposed second residential unit is two and a half storeys in height, consistent with the building height and massing of the existing single detached dwelling as well as other residential development in the immediate vicinity.

Therefore, it is staff's view that the proposal will not cause visual intrusion that disrupts the streetscape or buildings.

j. Degradation of cultural heritage resources;

A SHIS was provided as part of the application submission for the proposed minor variance. The conclusion of the SHIS indicate that the proposed addition will not cause any degradation to the publicly visible heritage aspects of the block/streetscape.

In terms of archaeology, the applicant has completed a Stage 1/2 Archaeological Assessment. The applicant has also submitted a copy of the correspondence with the Ministry of Tourism Culture & Sport.

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

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As noted, the proposed addition has been designed within the parameters of the existing zoning provisions and the City of Kingston's Residential Design Guidelines for Residential Lots. Although the detailed design has not been completed, it is anticipated that the material used for the façade and the colour will be consistent with those of the existing building.

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

The proposed development does not impact any of the protected views that are set out in Schedule 9 (Heritage Areas, Features & Protected Views) of the OP.

3. The ability of the site to function in an appropriate manner in terms of access, parking for vehicles and bicycles or any other matter and means of improving such function including considerations for universal accessibility;

The proposal complies with all minimum zoning provisions with respect to off-street parking. It is proposed that the two parking spaces required be located in the rear yard and that the existing driveway be used to provide vehicular access to the parking spaces and to also function as the required 1.2 metre-wide unobstructed pathway for the second residential unit. To ensure that the driveway will be clear at all times, on-site signage will be placed in the driveway to prohibit vehicles from parking in the driveway.

To conclude, the site is expected to work effectively in terms of meeting the functional needs of the proposed residential land use.

4. The conformity of the proposal to any applicable urban design policies endorsed by Council, particularly if the site includes or could impact a *built heritage resource* or is within a Heritage District;

Section 2.6.2 of the OP contains criteria that need to be considered to protect stable areas from incompatible development. The most relevant of these criteria to the proposal are related to the type of development, density, streetscape character and the appropriateness of the proposal. The overall density, type of use and scale of development are consistent with the existing built form of residential development along Frontenac Street and within the surrounding residential neighbourhood. The proposal does not involve a significant alteration to the existing built form on the site and will not cause any adverse impacts on adjacent properties. Although the proposed development exceeds the maximum permitted building depth, the development does not result in adverse impacts such as intensive overlook or shadowing on adjacent residential properties.

The proposed addition complies with the relevant provisions in the "A" zone with respect to minimum side yards, minimum aggregate side yard, maximum height and maximum exterior wall height. With regard to the City's Residential Design Guidelines, the proposed addition is designed to be distinct, complementary to and subordinate to the existing built form on the property. As the subject property is immediately across the street from a

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property designated under Part IV of the *Ontario Heritage Act* (KCVI at 235 Frontenac Street), a SHIS and Addendum to it were provided in support of the application. Municipal heritage planning staff reviewed the SHIS and Addendum and agreed with their assessments.

Therefore, it is staff's view that the proposal demonstrates conformity to the applicable OP policies, the urban design policies and protects heritage resources.

5. If the site is designated under the *Ontario Heritage Act*, the application shall be reviewed by Heritage Kingston for approval. If the property is adjacent to a designated property under the *Ontario Heritage Act* or shown as a Heritage Area feature, or is affected by the protected views shown on Schedule 9 of this Plan, then a heritage impact statement may be required to assist staff to determine if the resulting *development* is desirable;

Although the subject property is not designated under the Ontario Heritage Act, it is still required to submit heritage related support documents as it is located immediately across the street from a designated property known as 235 Frontenac Street (KCVI). The applicant provided a SHIS and an Addendum in support of the application. Both the SHIS and the Addendum were reviewed to the satisfaction of municipal heritage planning staff.

6. The resulting *development* has adequate *municipal water and sewage services* within the *Urban Boundary*, or is capable of providing *individual on-site water and sewage services* outside the *Urban Boundary*;

The subject property is not located within a servicing constraint area as set out in Schedule 11-C (Servicing Constraints) of the OP. The proposal was circulated to Utilities Kingston (UK) and UK confirmed that the site has existing access to sufficient water and sanitary servicing to service the proposed second residential unit.

7. Whether the application and the cumulative impact of the proposed variances would be more appropriately addressed by a zoning amendment to the applicable zoning by-law;

The proposal seeks to modestly increase the residential density of the neighbourhood through the provision of a second residential unit that would be located within the proposed building addition. The proposal meets all the applicable zoning regulations except for the requested two deviations from the zoning provisions regarding maximum building depth and the utilization of the driveway for the provision of a pedestrian pathway.

For these reasons, the application is considered minor and the Minor Variance process is considered as the appropriate application process under the *Planning Act* for the proposed land use and built form change on the property.

8. The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a minor variance including any reasonable requirements, recommendations of City departments, or the submission of studies as listed in Section 9.12 of this Plan that may be required to properly evaluate the application;

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Staff is recommending that the application be subject to the standard condition with respect to the Building Permit application requirement. Other conditions that are recommended are related to prohibiting the openings in the building addition in areas which are wider than the existing dwelling unless a noise study is submitted for review and approval by the City (Exhibit A – Recommended Conditions). Furthermore, a condition regarding the requirement to apply for a tree permit prior to any site alterations is recommended.

9. The degree to which such approval may set an undesirable precedent for the immediate area.

The proposal meets the intent of the Official Plan and the majority of the applicable zoning provisions of the governing zone. As a result, the proposed second residential unit will not result in any negative impacts to adjacent properties or to the neighbourhood.

## **2) The general intent and purpose of the zoning by-law are maintained**

The subject property is zoned One & Two-Family Dwelling “A” in the City of Kingston Zoning By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended. In terms of residential uses, the “A” zone permits one & two-family dwellings, subject to a minimum lot area provision of 370 square metres per dwelling unit. City Council recently approved new zoning regulations to permit second residential units on a city-wide basis, subject to performance standards and confirmation that the subject property is not constrained from a servicing perspective. Although the subject lot area is approximately 505 square metres, it still allows for the addition of a second residential unit on the property as second residential units are not subject to the minimum lot area provision.

The proposal requires two variance requests to Section 6.3(g)(ii)(1)(a) regarding the maximum permitted building depth and Section 5.45(xvi) regarding the pedestrian pathway to a second residential unit. Within the “A” zone, the maximum permitted building depth for any permitted residential building is calculated based on the average distance between the established front building line and the established rear building line of the two nearest permitted residential buildings on the nearest lots on the same block on opposite sides of the subject property. The intent and purpose of regulating the building depth is to maintain the character of the residential areas and the existing streetscapes. The subject property is more than 50 metres in depth and can allow for the addition while still allowing for a large landscaped rear yard. Furthermore, the roofline of the building addition would be lower than that of the original building. Therefore, it can be concluded that the proposal maintains the intent and the purpose of the building depth regulation as it is not anticipated to alter the character of the neighbourhood or the existing streetscape.

The second variance request is regarding the pedestrian pathway. A pedestrian pathway is required and it is defined as “a hard surface treated path that is separately delineated from

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the driveway and provide pedestrian access.” The pedestrian pathway is also required not to have obstructions to a height of up to 2.3 metres. The intent and purpose of this regulation is to provide second residential units with a pedestrian pathway for emergency purposes and also for moving in and out of the second residential units. The proposed second residential unit will have a 3-metre wide northern interior side yard setback. The northern interior side yard will be used as a driveway and on-site signage will be placed which restricts residents from parking on the driveway thereby maintaining an unobstructed 3.0 metre-wide side yard which may be used by pedestrians and vehicles. Therefore, pedestrians and emergency services will be provided sufficient space to access the second residential unit. As such, the proposed variance regarding the pedestrian pathway maintains the intent and the purpose of the zoning by-law.

Apart from the requested two variances, all other applicable provisions of Zoning By-Law Number 8499 are being met. The resultant built form will be similar and compatible to other lots within the block and the surrounding area. Consequently, the proposal maintains the general intent and purpose of the zoning by-law.

**Variance Number 1:****By-Law Number** 8499: 6.3(g)(ii)(1)(a) Maximum Permitted Building Depth**Requirement:** 17.7 metres**Proposed:** 25.6 metres**Variance Requested:** 7.9 metres**Variance Number 2:****By-Law Number** 8499: 5.45(xvi)**Requirement:** A minimum 1.2 metre-wide unobstructed pathway provided from the front of the Principal Dwelling Unit building or the front lot line.**Proposed:** Permit the usage of the existing driveway to provide the required unobstructed pathway to an attached second residential unit.**Variance Requested:** Permit the usage of the existing driveway to provide vehicular access to the parking spaces in the rear yard and to function as the required minimum 1.2 metre-wide unobstructed pathway to the attached second residential unit.**3) The variance is minor in nature**

The requested variances are considered minor as there will be no negative impacts on abutting properties. Although the proposed development exceeds the building depth of the directly adjacent residential buildings located north and south of the subject property, the proposed residential building depth is similar to the depths of other residential buildings within the same block and within the block immediately to the west.

In addition to the building depth, a relief is requested from Section 5.45(xvi) of the applicable zoning by-law. Section 5.45(xvi) requires the second residential unit to be accessed by a minimum 1.2 metre-wide unobstructed pathway provided from the front of the principal dwelling unit building or the front lot line. Due to the configuration of the

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existing single-family dwelling on the subject property, it is not possible to construct a second residential unit at the rear and provide a 1.2 metre wide unobstructed pedestrian access aisle in the southern interior side yard. Therefore, the proposal requests to vary Section 5.45(xvi) of the applicable zoning by-law to permit the utilization of the existing driveway in the northern side yard as the required vehicular access as well as the required pedestrian pathway.

The proposed second residential unit will be setback a minimum of 3.0 metre from the northern interior lot line to allow for the extension of the existing driveway to the proposed two parking spaces in the rear yard (Exhibit G – Site Plan). On-site signage will be placed to restrict residents from parking in the driveway thereby maintaining an unobstructed pedestrian pathway provided from the front lot line. As such, it is staff's view that the variance respecting unobstructed pedestrian pathway is minor in nature.

In conclusion, the proposed reliefs from the two applicable zoning provisions are considered minor and they will assist in achieving residential intensification in a modest form through a second residential unit. Increasing residential density through the addition of second residential units is a goal that is supported by provincial and local policies.

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

The proposed development represents a gentle residential intensification through the addition of a second residential unit on a site located within the Urban Boundary. The proposed scale, massing and form of the development is consistent with that of the existing single detached dwelling on the subject property as well as the surrounding neighbourhood.

This report demonstrated that the proposed minor variances are consistent with the policies in Sections 2.7 and 9.5.19 of the OP. The site is located within the Urban Boundary and within close proximity to Queen's University, commercial amenities and public transit.

The subject site is an appropriate candidate for a second residential unit from an infrastructure servicing perspective and will contribute to an enhanced use of existing available municipal water and sanitary servicing available to the site.

Therefore, it can be concluded that the variance will result in a desirable and appropriate use of the land. The proposed variance related to the building depth is not deemed to alter the character of the neighbourhood or the existing streetscape. The proposed variance related to the unobstructed pedestrian pathway to the proposed second residential unit is desirable because the driveway can function both as a vehicular access and a pedestrian pathway to the second residential unit.

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**Technical Review: Circulated Departments and Agencies**

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Building Services | <input checked="" type="checkbox"/> Engineering Department | <input checked="" type="checkbox"/> Heritage (Planning Services)            |
| <input type="checkbox"/> Finance                      | <input checked="" type="checkbox"/> Utilities Kingston     | <input checked="" type="checkbox"/> Real Estate & Environmental Initiatives |
| <input checked="" type="checkbox"/> Fire & Rescue     | <input checked="" type="checkbox"/> Kingston Hydro         | <input checked="" type="checkbox"/> City’s Environment Division             |
| <input checked="" type="checkbox"/> Solid Waste       | <input checked="" type="checkbox"/> Parks Development      | <input type="checkbox"/> Canadian National Railways                         |
| <input checked="" type="checkbox"/> Housing           | <input checked="" type="checkbox"/> District Councillor    | <input type="checkbox"/> Ministry of Transportation                         |
| <input type="checkbox"/> KEDCO                        | <input checked="" type="checkbox"/> Municipal Drainage     | <input type="checkbox"/> Parks of the St. Lawrence                          |
| <input type="checkbox"/> CRCA                         | <input type="checkbox"/> KFL&A Health Unit                 | <input type="checkbox"/> Trans Northern Pipelines                           |
| <input type="checkbox"/> Parks Canada                 | <input type="checkbox"/> Eastern Ontario Power             | <input type="checkbox"/> CFB Kingston                                       |
| <input type="checkbox"/> Hydro One                    | <input type="checkbox"/> Enbridge Pipelines                | <input type="checkbox"/> TransCanada Pipelines                              |
| <input type="checkbox"/> Kingston Airport             |  |   |

**Technical Comments**

This application was circulated to external agencies and internal departments for their review and comment and there were no comments or concerns raised that would preclude this application from moving forward. Any technical comments that are received after the publishing of this report will be included as an addendum to the Committee of Adjustment agenda.

**Public Comments**

At the time this report was finalized, no comments from the public have been received. Any public comments received after the publishing of this report will be included as an addendum to the Committee of Adjustment agenda.

**Previous or Concurrent Applications**

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

**Conclusion**

The requested variances maintain the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variances are minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and the application is being recommended for approval, subject to the proposed conditions.

Approval of this application will facilitate modest intensification through the addition of a second residential unit to the property in a manner that is compatible with the neighbourhood and streetscape, while minimizing adverse effects.

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**Existing Policy/By-Law:**

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

**Provincial**

Provincial Policy Statement, 2020

**Municipal**

City of Kingston Official Plan

Zoning By-Law Number 8499

**Notice Provisions:**

A Committee of Adjustment Meeting is going to be held respecting this application on November 16, 2020. Pursuant to the requirements of the *Planning Act*, a notice of Statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 10 days in advance of the meeting. In addition, notices were sent by mail to a total number of 45 property owners (according to the latest Assessment Roll) within 60 metres of the subject property and a courtesy notice was placed in The Kingston Whig-Standard.

Once a decision has been rendered by the Committee of Adjustment, a Notice of Decision will be circulated in accordance with the provisions of the *Planning Act*.

**Accessibility Considerations:**

None

**Financial Considerations:**

None

**Contacts:**

Tim Park, Manager, Development Approvals, 613-546-4291 extension 3223

Waleed Albakry, Senior Planner, 613-546-4291 extension 3277

**Other City of Kingston Staff Consulted:**

None



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**Exhibits Attached:**

- Exhibit A Recommended Conditions
- Exhibit B Key Map
- Exhibit C Public Notification Map
- Exhibit D Neighbourhood Context Map, 2019
- Exhibit E Official Plan Map
- Exhibit F Zoning By-Law Map, Map 30
- Exhibit G Site Plan
- Exhibit H Floor Plans & Elevations
- Exhibit I Photos

## Recommended Conditions

### Application for minor variance, File Number D13-039-2020

Approval of the foregoing application shall be subject to the following recommended conditions:

#### 1. Limitation

That the approved minor variance applies only to second residential unit as shown on the approved drawings attached to the notice of decision.

#### 2. No Adverse Impacts

The owner/applicant shall demonstrate to the satisfaction of the City that there are no adverse impacts on neighbouring properties as a result of any modifications to on-site grading or drainage.

#### 3. Building Permit Application Requirements

The owner/applicant shall provide to the Building Services a copy of the decision of the Committee of Adjustment, together with a copy of the approved drawings, when they make application for a Building Permit.

The drawings submitted with the Building Permit application must, in the opinion of the City, conform to the general intent and description of the approved drawing(s), including any amendments and conditions approved by the Committee of Adjustment, as stated in the decision. It must be noted that additional planning approvals may be required should further zoning deficiencies be identified through the Building Permit application process.

#### 4. Standard Archaeological Condition

In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Program and Services Branch of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-314-7132) and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries at the Ministry of Government and Consumer Services (416-212-7499), the Program and Services Branch of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-314-7132), and City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

**5. Grading Plan**

A grading plan prepared by a professional engineer is required. The grading plan must show sufficient grading information in the form of existing and proposed grades to demonstrate that proposed grading of the property will not adversely impact existing drainage patterns and/or adjacent properties.

**6. Openings**

Openings will not permitted in the areas which are wider than the existing dwelling unless a noise study is submitted for review and approval by the City.

**7. Tree Permit**

Prior to any site alteration or development, the Owner shall obtain a tree permit to address preservation concerns around the city owned tree in front of the house.

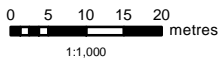


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COMMITTEE OF ADJUSTMENT  
**Key Map**

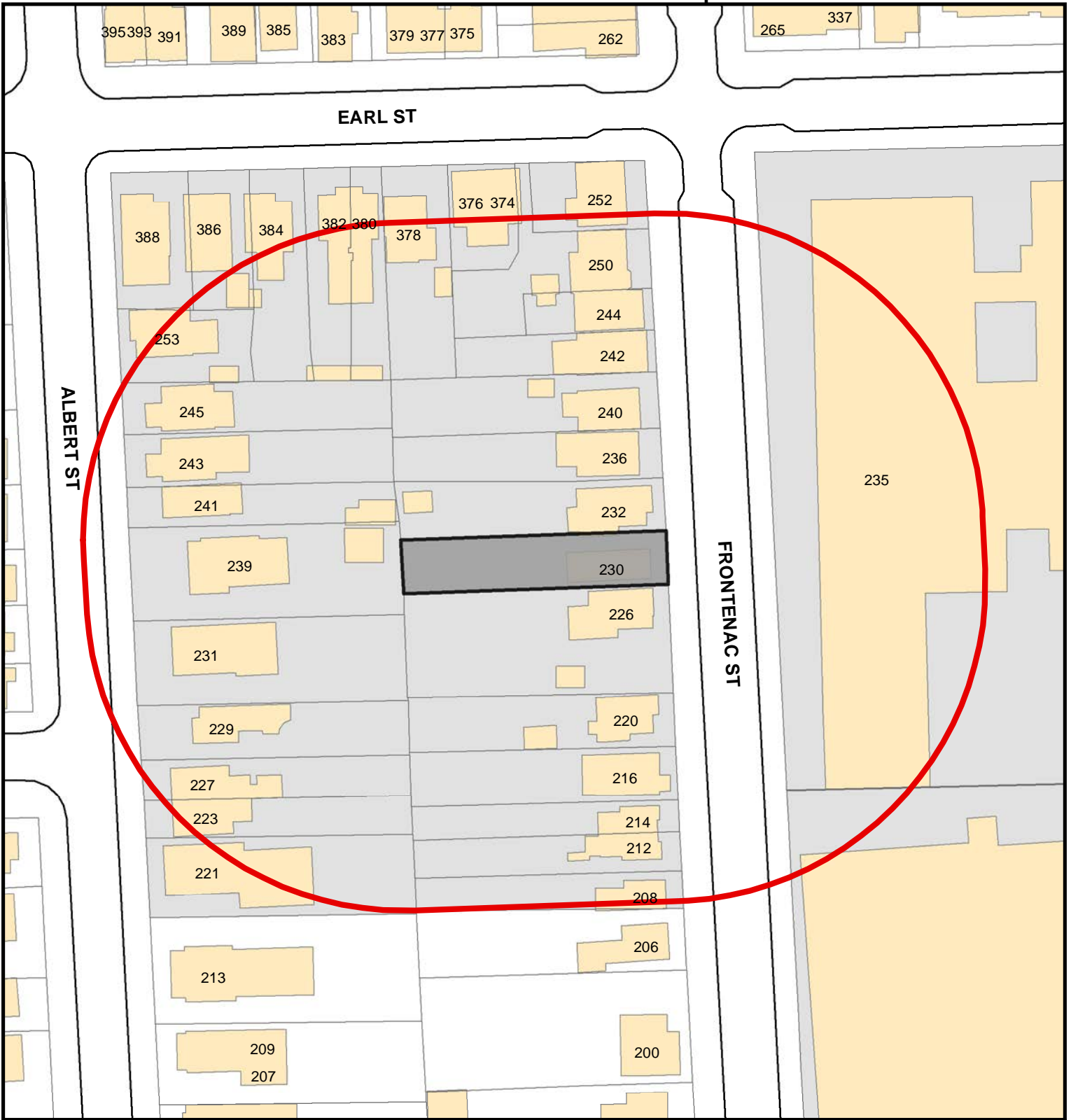
File Number: D13-039-2020  
Address: 230 Frontenac St



DATE: 2020-09-04  
PREPARED BY: akeeping

Lands Subject to Minor Variance

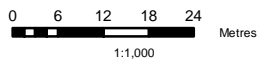








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COMMITTEE OF ADJUSTMENT  
**Public Notice Notification Map**

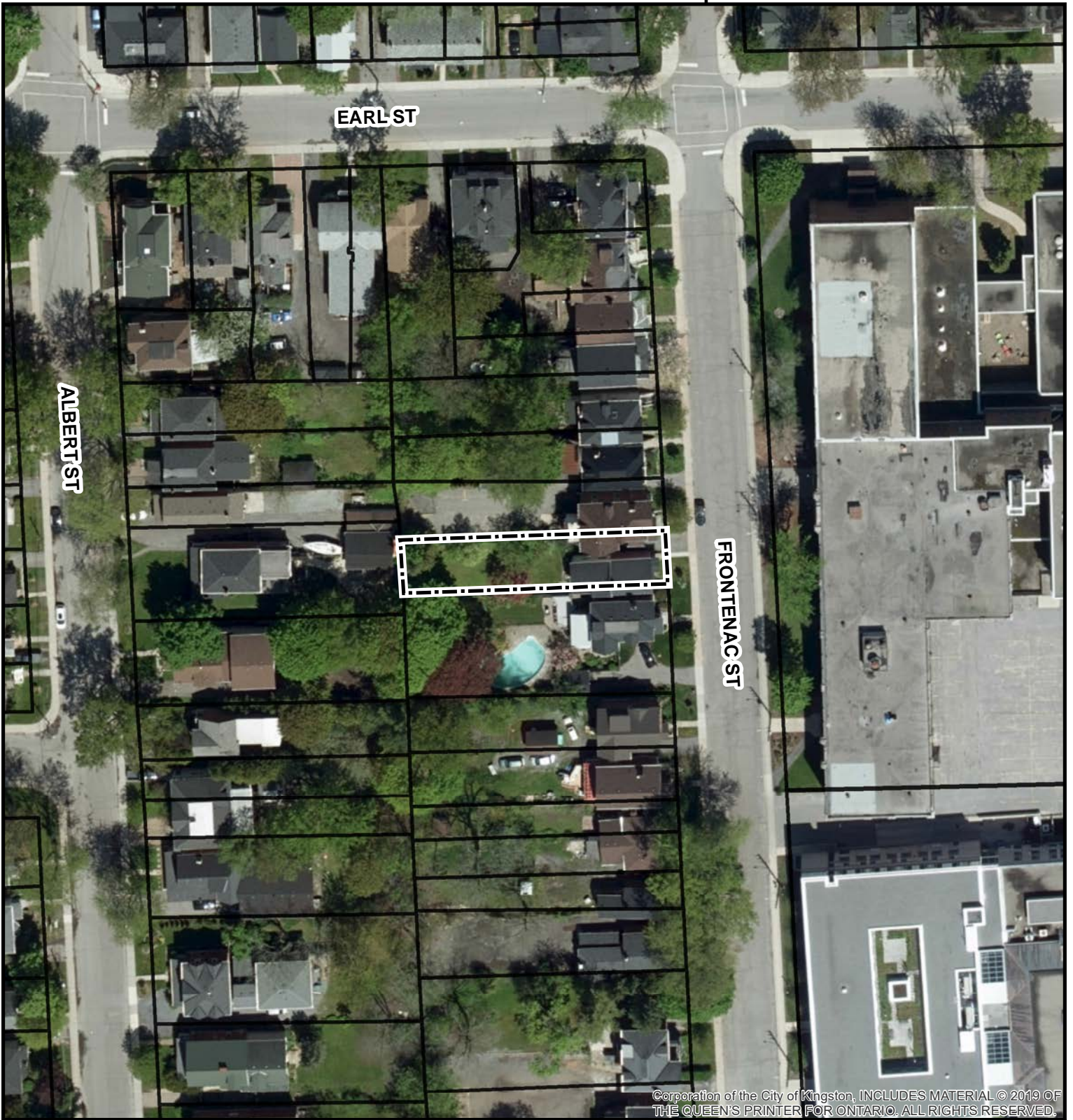
File Number: D13-039-2020  
Address: 230 Frontenac St



**Legend**

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





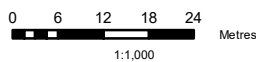
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COMMITTEE OF ADJUSTMENT  
**Neighbourhood Context (2019)**

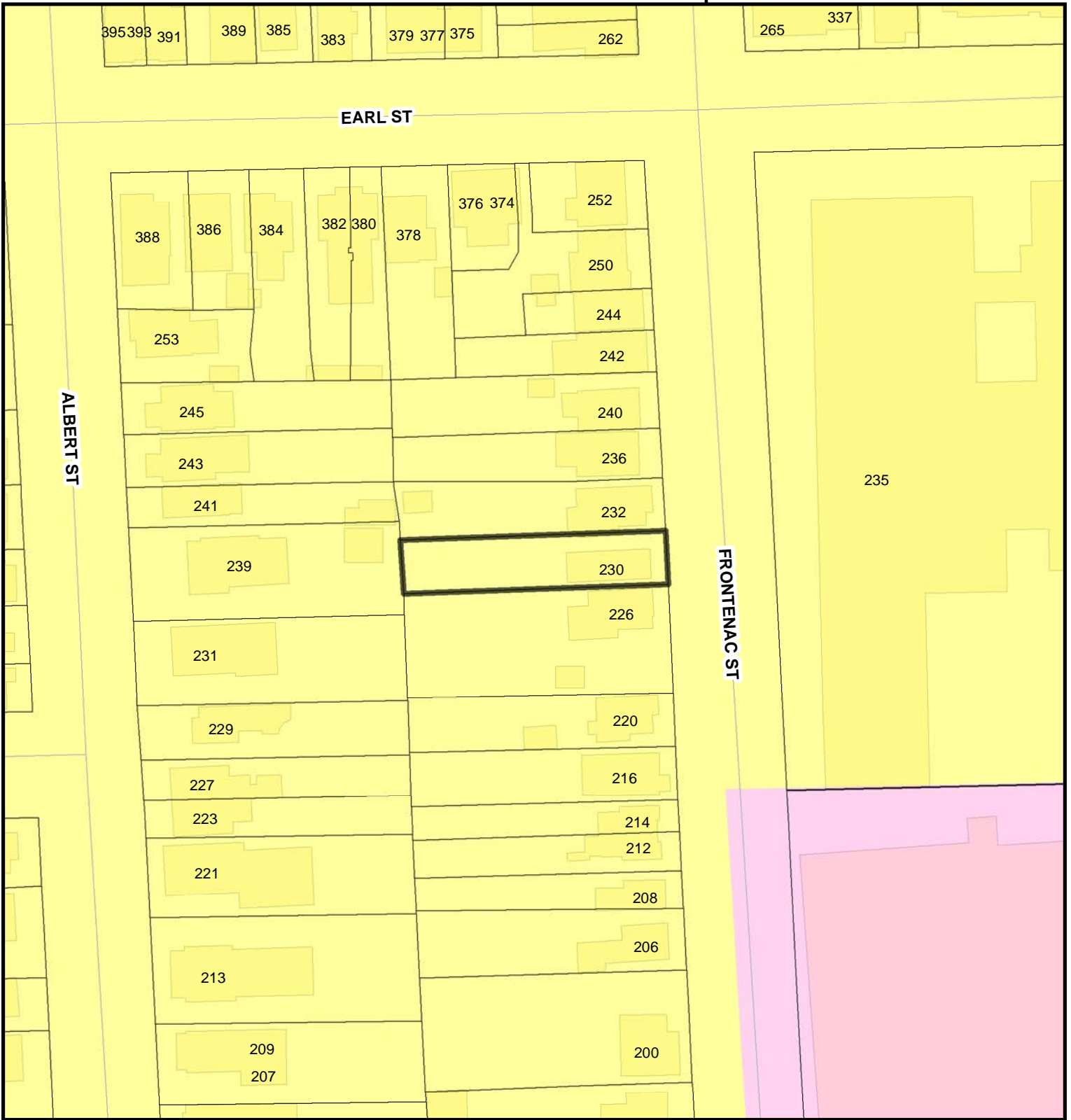
File Number: D13-039-2020  
Address: 230 Frontenac St



**Legend**

-  Subject Lands
-  Property Boundaries

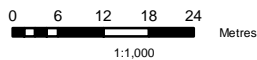







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COMMITTEE OF ADJUSTMENT  
**Official Plan, Existing Land Use**

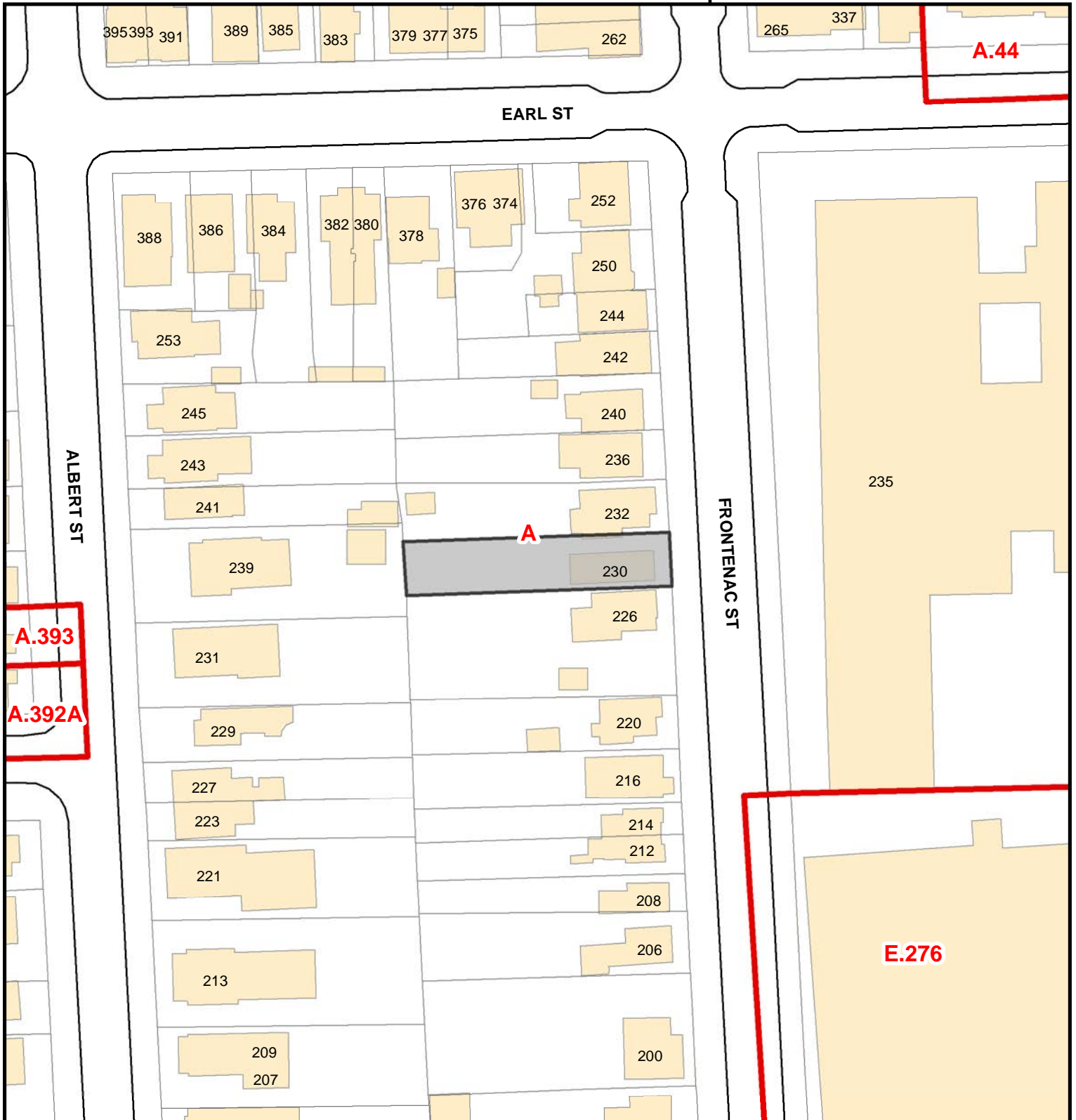
File Number: D13-039-2020  
Address: 230 Frontenac St



**Legend**

-  Subject Lands
-  INSTITUTIONAL
-  RESIDENTIAL





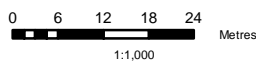
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COMMITTEE OF ADJUSTMENT

**Existing Zoning - By-law 8499, Map 30**

File Number: D13-039-2020

Address: 230 Frontenac St



**Legend**

- Subject Lands
- Consolidated Zoning





# B I L D I N G P E R M I T A P P L I C A T I O N P L A N

APP L I C A N T N A M E :  
The Boulevard Group

H O U S E N U M B E R :  
613-531-2539

PROPERTY ADDRESS :  
230 Frontenac St

LEGEND:

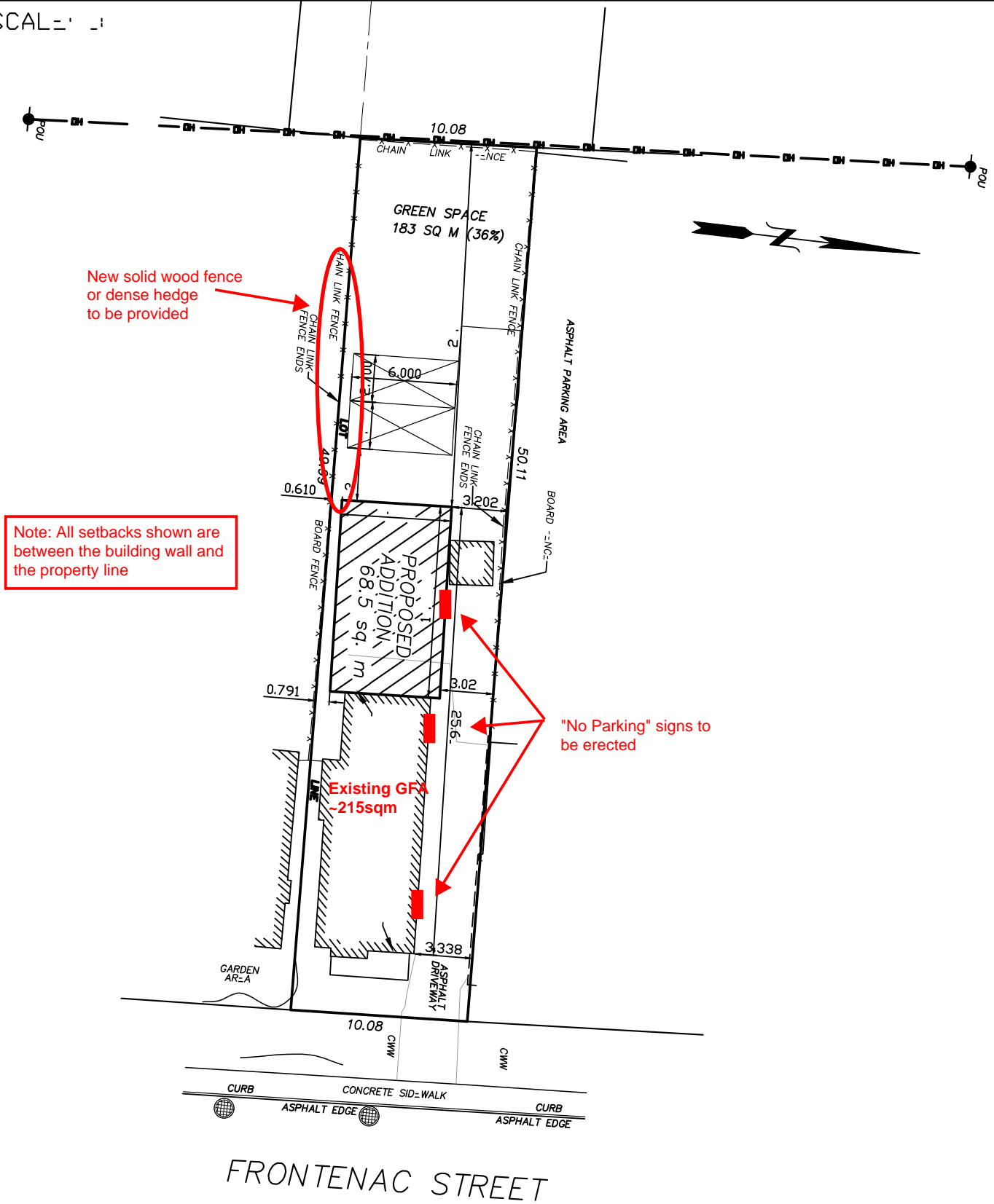
- ◁ 3R = ENTRANCE
- = TID
- # RI = RS TO LADE
- = CITY MAIL BOX
- ▽ = HYDRO TRANSFORMER
- = BELL PEDestal
- = CABLE PEDESTAL
- = LIGHT STANDARD
- = HYDRANT
- = TRANSIT
- = STREET LIGHT
- = ASSEMENT
- x — = RHAD HYDR
- = WATER SERVICE
- = SANITARY SERVICE
- = TDM SERVICE
- = TCH BAI
- = MANHOLE
- = II WALK
- ▬ = CURB
- ▬ = D ELEVATIO
- ▬ = XISTI ELEVATIO
- ▬ = PR D ELEVATIO
- ▬ = TO IE PRO IDED BY APPLICANT
- ▬ = DRAINAGE DICTIO
- ▬ = DRAINAGE SWALE

DATE:

LOT # \_\_\_\_\_ -N/ \_\_\_\_\_ # \_\_\_\_\_  
 PART # \_\_\_\_\_ -PLAN # \_\_\_\_\_  
 T O T A L A R E A \_\_\_\_\_  
 B O T T O M F L O O R A R E A \_\_\_\_\_  
 = L E V A T I O N T G R A D I E N T \_\_\_\_\_  
 = \_\_\_\_\_  
 = A \_\_\_\_\_  
 T O T A L A R E A 504 sq.m  
 B L D F O O T P R I N T A R E A 56 sq.m  
 = R A G I N G % \_\_\_\_\_ = D 31 %  
 P E R M I T T E D \_\_\_\_\_  
 DATE : May 25, 2020

DRIVEWAY INFO: MATI \_\_\_\_\_ IDTH (max. m) \_\_\_\_\_  
 S I D E W A L K (max. % \_\_\_\_\_) BE \_\_\_\_\_ LADE: \_\_\_\_\_  
 SURFACE MATERIAL \_\_\_\_\_

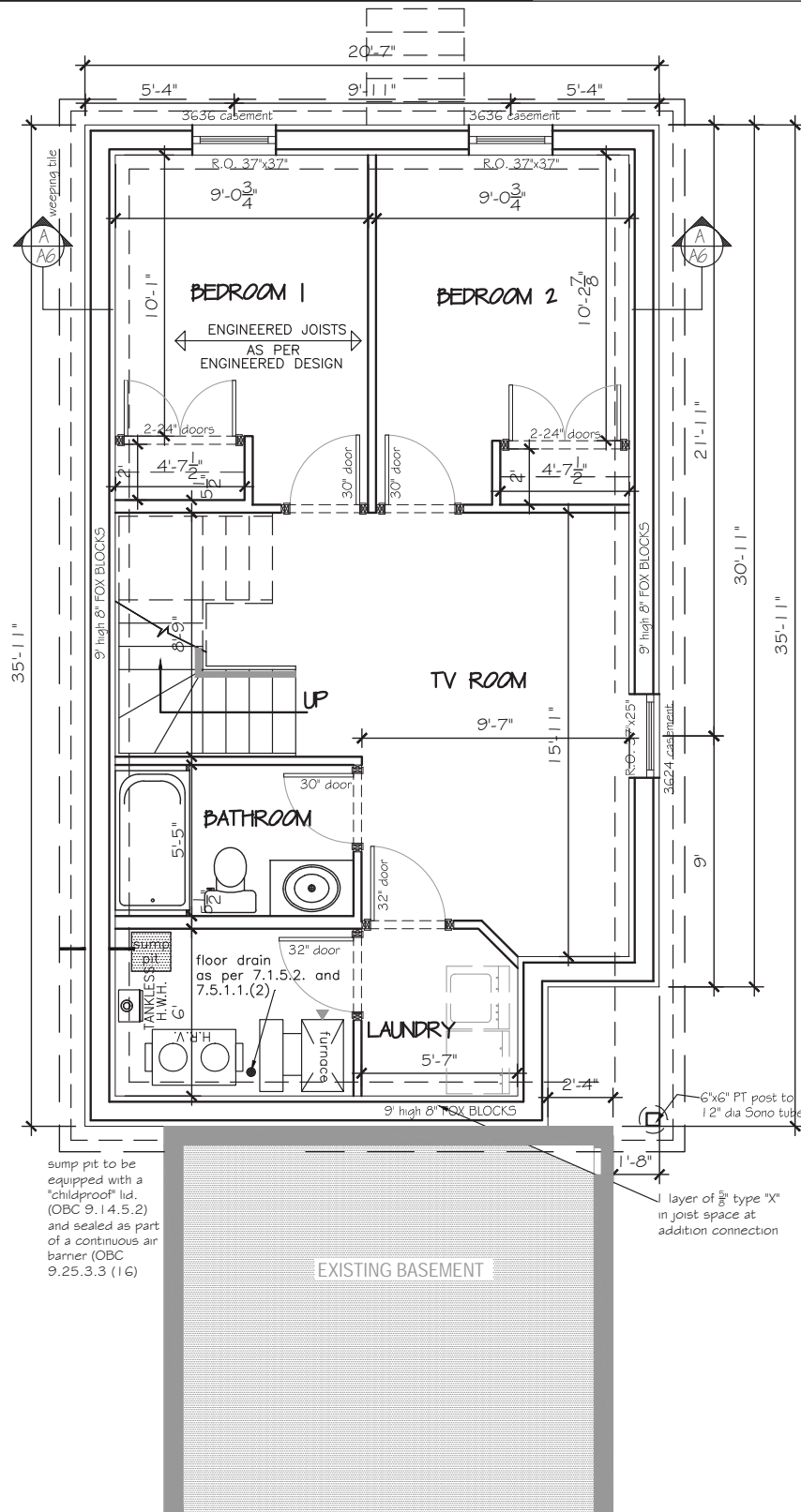
SCALE: \_\_\_\_\_



Note: All setbacks shown are between the building wall and the property line

"No Parking" signs to be erected

R E V I S I O N	D E S I G N	DATE	BY	DATE	BY	DATE	BY



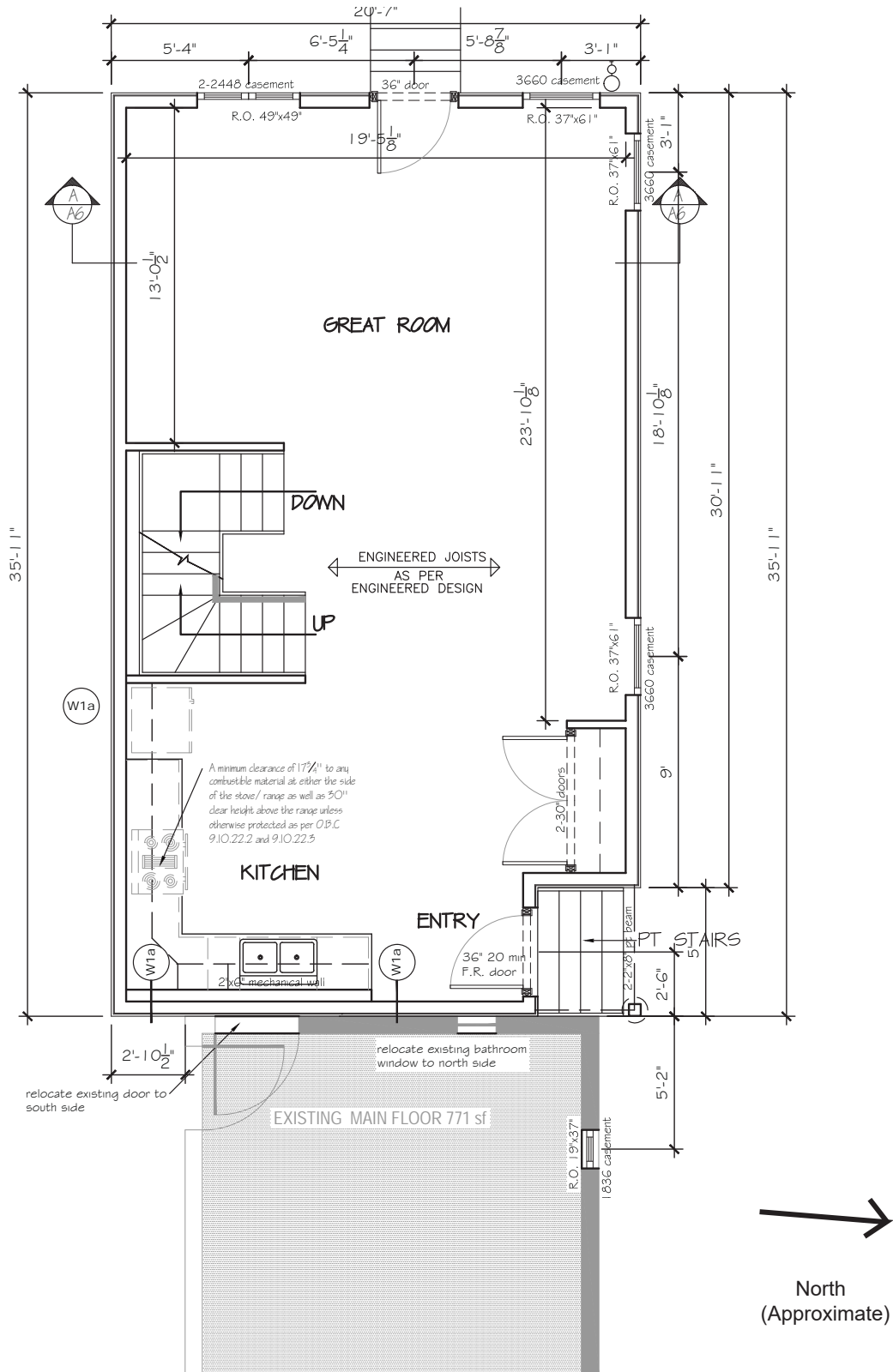
**PROPOSED BASEMENT PLAN**  
649 sf (60.3 sq. m)

**NOTE:**  
These plans form the basis for permit issuance and any deviations from these plans and details, including the ventilation system, heating system, woodstove, fireplaces, decks, balconies and finished basements, will require a revised drawing and clearance by the Building Department.  
These plans have been prepared for Henglee Kingston Inc.

**Lakeside Drafting & Design**  
Basement Plan  
New Addition  
230 Frontenac St. Kingston, Ontario  
Telephone: 613-539-3525

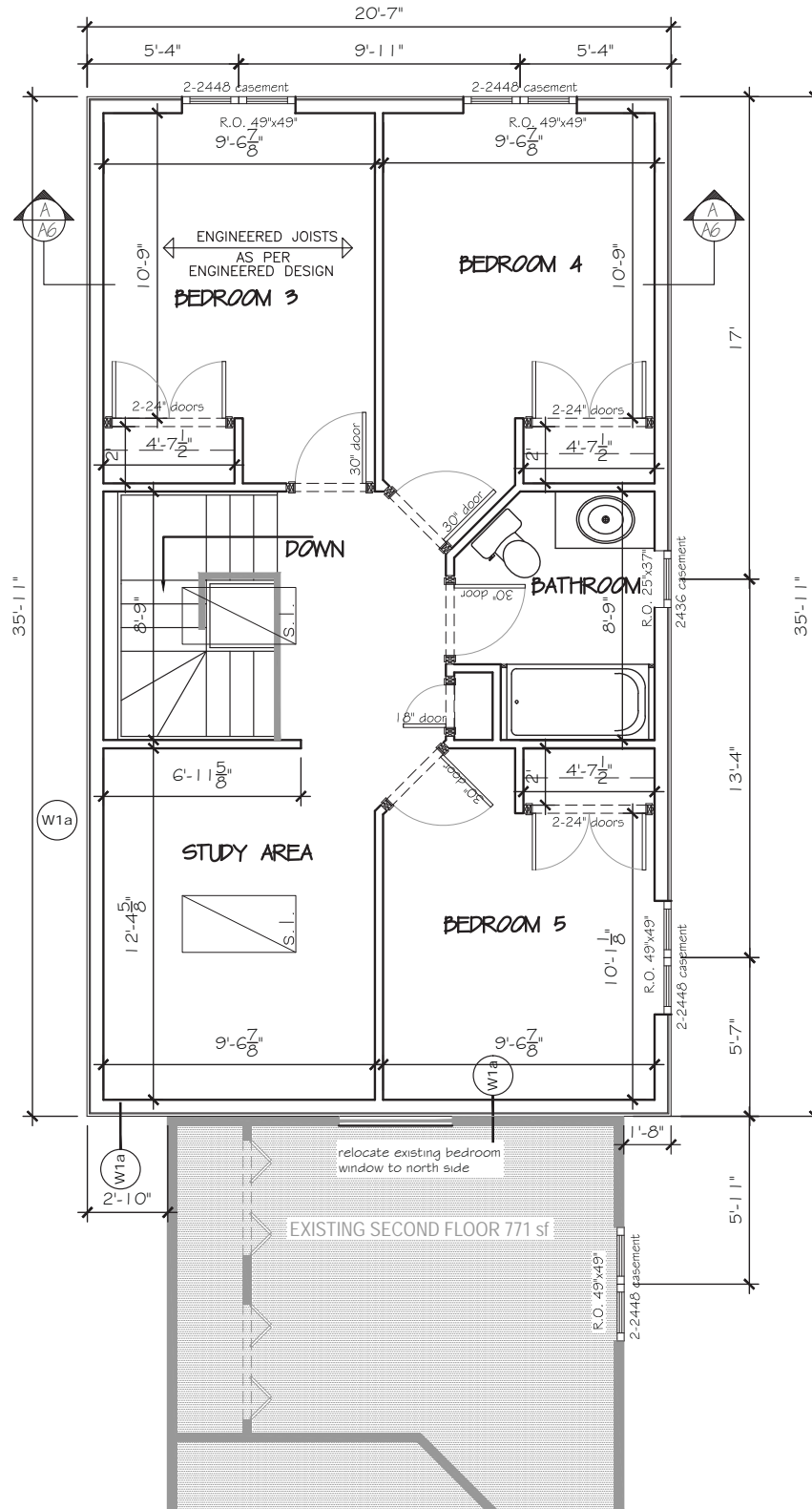
The design activities have been reviewed and are the responsibility of Lakeside Drafting & Design and must be signed in red to be valid.

DRAWING No.	SCALE
A1	1/4" = 1'
DATE: August 24 2020	
I take responsibility of this drawing Patrick Griffin BCIN: 45381	



**PROPOSED MAIN FLOOR PLAN**  
716 sf (66.8 sq. m)

<p><b>NOTE:</b> These plans form the basis for permit issuance and any deviations from these plans and details, including the ventilation system, heating system, woodstove, fireplaces, decks, balconies and finished basements, will require a revised drawing and clearance by the Building Department. These plans have been prepared for Henglee Kingston Inc.</p>	<p><b>Lakeside Drafting &amp; Design</b> Telephone: 613-539-3525</p>	<p>Main Floor Plan New Addition 230 Frontenac St. Kingston, Ontario</p>	<p>DRAWING No. A2 SCALE 1/4" = 1' DATE: August 24 2020 I take responsibility of this drawing Patrick Griffin BCIN: 45381</p>
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**PROPOSED SECOND FLOOR PLAN**  
685 sf (63.6 sq. m)

NOTE:  
These plans form the basis for permit issuance and any deviations from these plans and details, including the ventilation system, heating system, woodstove, fireplaces, decks, balconies and finished basements, will require a revised drawing and clearance by the Building Department.  
These plans have been prepared for Henglee Kingston Inc.

**Lakeside Drafting & Design**

telephone: 613-539-3525

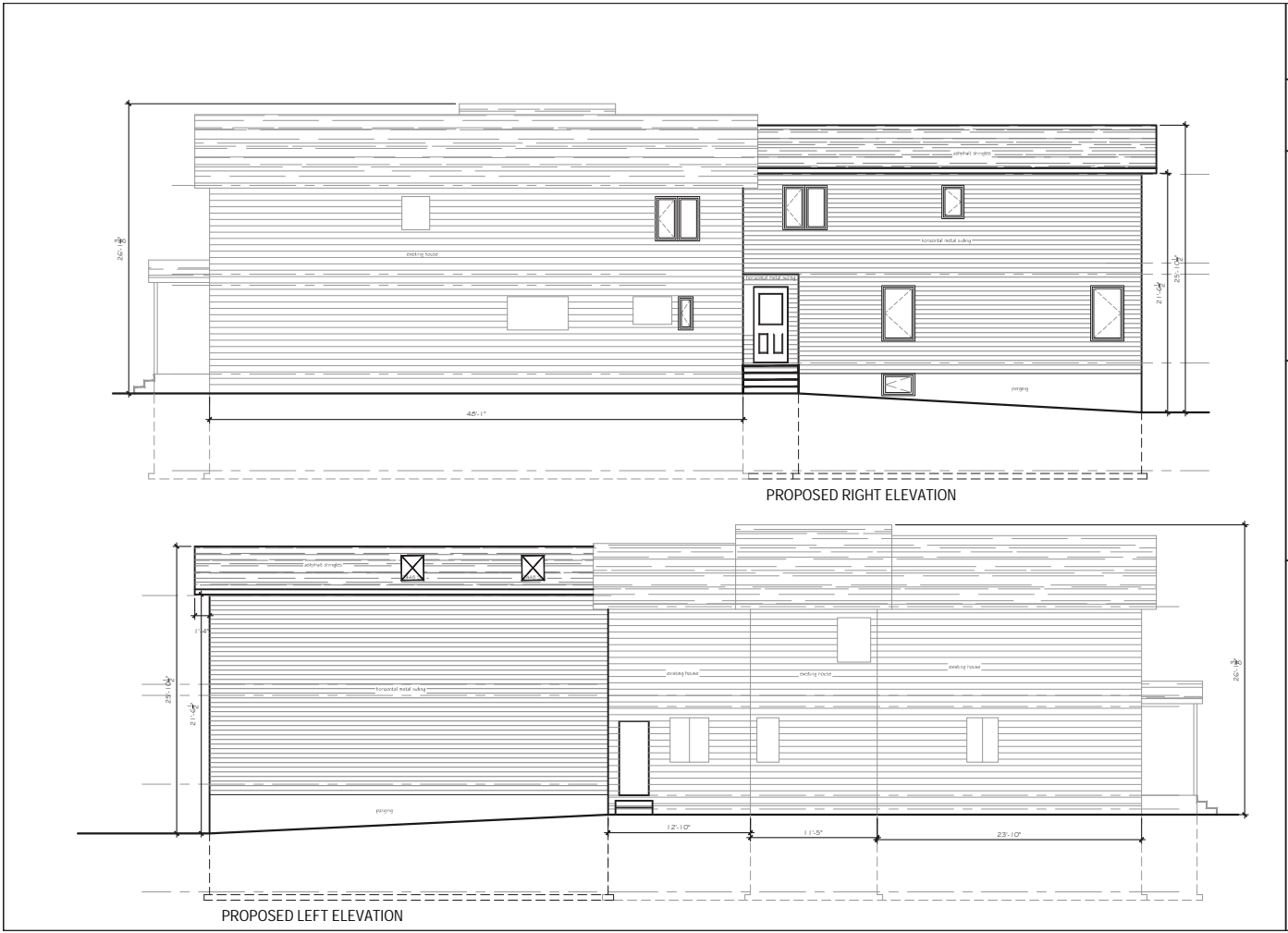
The design activities have been reviewed and are the responsibility of Lakeside Drafting & Design and must be signed in red to be valid.

Second Floor Plan  
New Addition  
230 Frontenac St. Kingston, Ontario



DRAWING No. A3  
SCALE 1/4" = 1'

DATE: August 24 2020  
I take responsibility of this drawing  
Patrick Griffin  
BCIN: 45381



<p><b>NOTES:</b></p> <p>These plans are prepared on the basis of a permit issued and any deviations from these plans and details, including the ventilation system, shall be the responsibility of the contractor. All work shall be in accordance with the Ontario Building Code and any applicable amendments.</p> <p>These plans have been prepared by Henglee Kingstons Inc.</p>	<p><b>Lake</b></p> <p>1000 Lakeshore Dr. #100 Kingston, Ontario K7L 1A1 Tel: 613-339-3525</p>	<p><b>DR-ING No</b> = AM</p> <p><b>SC</b> = 1/8" = 1'</p>
<p><b>NO. 1:</b></p> <p>These plans have been prepared by Henglee Kingstons Inc. and are the property of Henglee Kingstons Inc. All rights reserved. No part of these plans may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Henglee Kingstons Inc.</p>	<p><b>D-E:</b> August 24, 2020</p> <p>Take responsibility of this drawing            Henglee Kingstons Inc.          BCN: 45381</p>	



PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION

NOT TO SCALE  
 These plans are for informational purposes only. Issuance and any verification of these plans and details, including the verification of the "finished basement", will require a revised drawing and clearance by the Building Department.  
 These plans have been prepared by Henglee Kingstone Inc.

**Lakeview**  
 1000 Highway 10, Unit 10, Kingston, Ontario  
 Telephone: (613) 339-9525

This design has been reviewed and approved by the Building Department.  
 Design and must be signed in red.

From / Rear Elevations  
 New Addition  
 230 Frontenac St. Kingston, Ontario

DRAWING No AS  
 SC = 1/4" = 1'  
 D-1: August 24, 2020  
 Take responsibility of this drawing  
 Pat. K.C.C. Inc.  
 BCN: 45381

**Site Photos**  
**230 Frontenac Street (File Number D13-039-2020)**



Front elevation



View from northeast



KCVI on the other side of the street